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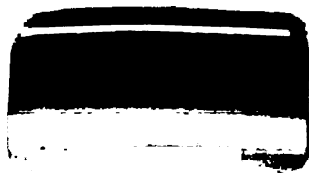
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66TH CONGRESS : : : 1ST SESSION

MAY 19-NOVEMBER 19, 1919

SENATE DOCUMENTS

VOL. 14

57

WASHINGTON : : GOVERNMENT PRINTING OFFICE : : 1919

278268

FORMAT

CONTENTS

- No.
1. Claims of American citizens against Mexico.
 2. Proposed abrogation of treaties.
 8. Plan for vocational agricultural school.
 - ✓ 19. Railroad problem, address by Albert B. Cummins.
 20. Address of President Wilson at Suresnes cemetery, May 30, 1919.
 22. Sites for military hospitals.
 26. Ratification of treaties.
 35. Hearing for representatives of Ireland at peace conference.
 39. Lump-sum instead of annuity payments in military insurance.
 - ✓ 40. Battle deaths in Great War.
 44. Jewish persecutions in Poland, Roumania, and Galicia.
 45. Information concerning William T. Ellis. 2 pts.
 48. Report of Public Buildings Commission.
 55. War material for improving highways.
 56. Control of tuberculosis, address by J. D. Southard.
 58. Papers relative to General Staff Corps and medals of honor.
 - ✓ 59. Emergency currency issued and retired since Aug. 1, 1914.
 - ✓ 60. American troops in Siberia.
 61. Brewing and liquor interests and German and Bolshevik propaganda.

CLAIMS OF AMERICAN CITIZENS AGAINST MEXICO.

LETTER

FROM

THE ACTING ASSISTANT SECRETARY OF STATE,

TRANSMITTING,

IN RESPONSE TO A SENATE RESOLUTION OF FEBRUARY 7, 1919,
INFORMATION AS TO CERTAIN CLAIMS OF AMERICAN CITIZENS
AGAINST THE GOVERNMENT OF MEXICO.

MAY 20, 1919.—Referred to the Committee on Foreign Relations and ordered to be
printed.

To the SENATE:

The undersigned, the Acting Secretary of State, refers to the resolution adopted by the Senate on February 7, 1919, which is quoted below.

Whereas claims aggregating millions of dollars in compensation for damages to property and for personal outrages and destruction of life, suffered by American citizens in the Republic of Mexico, have been filed with the Department of State for presentation to the Government of Mexico; and

Whereas some years have already intervened between the commission of such damages and outrages and no progress is apparently being made toward the liquidation, settlement, and payment of such claims: Now, therefore, be it

Resolved, That the Secretary of State be, and he is hereby, directed to report to the Senate whether or not said claims have been presented to the Government of Mexico, and what steps and measures are being taken to prosecute such claims and to liquidate and settle the same, and if said claims have not been presented, then to report to the Senate what steps and measures are contemplated to be taken with respect thereto and when the department will proceed with the same.

Attest:

JAMES M. BAKER, *Secretary*.
By H. M. ROSE, *Assistant Secretary*.

In the absence of the President from the country, Acting Secretary of State informs the Senate that the question of claims of American citizens against the Government of Mexico has, for some time, been a matter of diplomatic discussion between this Government and the Mexican Government. On November 24, 1917, President Carranza by a decree, a copy of which is inclosed, provided for the establishment of a commission for the consideration of claims of foreigners against the Mexican Government and a board of arbitration to whom claimants dissatisfied with the awards of the commission could appeal. This decree is still the subject of diplomatic negotiations with the Government of Mexico with a view to arranging a more speedy and satisfactory method of adjustment and payment of these claims, and the Senate will be promptly advised of the result of these negotiations.

Respectfully submitted.

WILLIAM PHILLIPS,
Acting Secretary of State.

DEPARTMENT OF STATE,
Washington, March 22, 1919.

No. 834. EMBASSY OF THE UNITED STATES OF AMERICA,
Mexico, December 5, 1917.

SIR: With reference to the embassy's dispatches No. 527, dated November 7, page 13; No. 622, dated November 27; and No. 626, dated November 28, pages 12 and 13, and to the embassy's telegram No. 595 of December 1, 12 noon, in answer to the department's telegram No. 606 of November 30, 6 p. m., concerning the creation of a commission to pass upon claims for damages to persons and property growing out of the Mexican revolutions, I have the honor to transmit herewith the text and translation of the presidential decree providing for the appointment of the commission in question.

I have the honor to be, sir,

Your obedient servant,

HENRY P. FLETCHER.

The SECRETARY OF STATE,
Washington.

[Inclosure No. 1.—Translation. From Diario Oficial, Nov. 28, 1917.]

I, Venustiano Carranza, constitutional President of the United Mexican States, to the inhabitants thereof make known:

That in use of the extraordinary powers in the treasury conferred upon me by the Congress of the union,

Have seen fit to decree the following:

ARTICLE 1. In accordance with the decree of May 10, 1913, issued in Monclova, Coahuila, by the citizen first chief of the constitutional army, a commission under the department of Hacienda is established in Mexico City to handle claims for damages to persons or property, resulting from the revolutionary movements in the Republic from 1910 to 1917.

ART. 2. Said commission shall be composed of a president and four members, who shall be Mexican born citizens, and who shall be appointed by the President of the Republic. The commission shall appoint the secretaries and personnel required.

ART. 3. The proceedings to be followed in the handling of claims shall be in accordance with the rules and regulations which, in accordance with the following principles, shall be issued opportunistically by the Executive:

A. The commission shall receive all claims which may be presented, provided that the claimants comply with the requirements established by the regulations. After receiving the claim, the commission shall examine it carefully, and if in its opinion it fulfills the basic requirements of this law it shall declare the claim accepted.

B. The commission shall, without delay, request of the appropriate authorities all data which they consider necessary with a view to deciding whether the claim is just or unjust, or to fix with proper accuracy the amount of indemnification to be paid. During the course of these proceedings such proofs as the interested parties may consider pertinent shall be received, but it should be understood that whatever the nature of the proceedings relative to the presentation of testimony may be the final result of same shall be submitted to the commission by means of documents.

C. Once the proofs and data referred to in the preceding paragraph shall have been submitted, the file shall be shown to the interested party, in order that he may submit in writing a statement of the rights he claims to possess.

D. The commission, based on the evidence on file, shall discuss and vote upon the claim and render a proper decision.

E. The interested party shall be notified of the judgment, and he shall state in writing his conformity or inconformity thereto.

F. The file shall then be placed before the President of the Republic through the department of hacienda, for final decision, excepting in the case of foreigners who may have indicated their inconformity with the judgment rendered by the commission, in which case the provisions of article 13 of this law shall be followed.

ART. 4. Claims shall be presented in writing, in Spanish, together with the largest possible number of proofs which will serve to demonstrate that the damages actually occurred and that the amount claimed is a just one. The name of the individual or firm, nationality, and residence of the claimant shall be shown; the places and dates of the occurrences upon which the claim is based, together with the names of those who took a part therein, as well as the nature of the damages and the amount of the indemnification, in national gold, which is claimed, shall be indicated with the greatest possible preciseness.

ART. 5. The commission shall accept only such claims as are based—

I. On damages caused by revolutionary forces or recognized as such by the legitimate Governments which may have been established in the Republic upon the triumph of the respective revolution.

II. Those caused by the forces of the said governments in the performance of their duties and during the struggle against rebels; and

III. Those caused by the forces of the so-called Federal Army up to the time of its dissolution.

ART. 6. Those subject to the civil responsibilities referred to in transitory article 15 of the political constitution of the United Mexican States promulgated on the 5th of February of the present year may not benefit by the provisions of this law. In such cases a hearing shall be given to the department of Government (Secretaría de Gobernación).

ART. 7. The right to present claims shall expire within three years from the date of this law. Claims arising from the revolution begun in 1910, which may have been submitted to the consulting commission established by virtue of the law of May 31, 1911, shall be considered as having been presented within the period indicated, and shall be handled by the new commission, the files being taken in their present state, and the proceedings thereon being continued in accordance with the provisions of this law and its regulations.

ART. 8. Claims may be based on the destruction of private property, the requisitioning of funds, property, animals or merchandise, or for damages of any other nature to persons or properties, unless those interested should previously have obtained an indemnity to cover; but no claim may be presented for indemnities to cover profits not made but which would have been made had it not been for the condition of war in the country.

ART. 9. When the claim, in the opinion of the party interested, does not exceed 5,000 pesos, and the commission is convinced that the damage actually occurred, but lacks information upon which to make an exact estimate of the indemnity to be paid, it may fix an arbitrary amount, based on the financial and social condition of the claimant, and on other circumstances connected with the case.

ART. 10. It is understood that the fact that the claimant applies to the commission in the administrative form established by this law, precludes him from initiating claims proceedings in the courts.

ART. 11. Foreign claimants shall attach to their claims proofs relative to their nationality; those who do not do so shall be considered as Mexicans with reference to the application of the provisions of this law, and shall in consequence thereof be considered as having surrendered their right to present their claims later through the usual diplomatic channels.

ART. 12. Stock companies organized under the laws of the Republic shall be considered as Mexican, so far as their claims are concerned, although some or all of the stockholders are foreigners.

ART. 13. Foreign claimants who may have proven themselves to be such, and who are not in conformity with the findings of the commission, may present their cases either personally or through the diplomatic channels.

ART. 14. The findings of the commission with regard to the claims of foreigners, which may have been objected to by the parties interested in one of the two forms indicated in the preceding article, shall be submitted for arbitration to three persons, one of whom shall be appointed by the President of the Republic, another by the diplomatic agent of the country to which the claimant belongs, and the third by the other two selected. Should these be unable to reach a decision, the third shall be appointed by the President of the Republic from among the nationals of some country which has no claims for damages growing out of the revolution. The appointment of the arbitrators shall be made in accordance with the regulations governing this law, but it is to be understood that none of those selected shall have diplomatic or consular character.

ART. 15. The arbitration committees referred to in the previous article shall be organized either for the settlement of a single concrete case, or to handle all cases corresponding to claimants of a single nationality.

ART. 16. The decisions of the arbitration committees referred to in the preceding article shall be final.

ART. 17. A special law to be issued opportunely shall establish the manner in which funds shall be raised for the payment of final approved claims, and the form of payment.

TRANSITORY.

First. This law shall not affect in any way arrangements which may have been made with the department of Hacienda with respect to the return of intervened or confiscated properties; nor shall it affect properties which are still intervened by the Government, until such time as the law referred to in transitory article 15 of the constitution is issued.

Second. This law shall become effective from the date of its promulgation.

Third. In the application of this law, all those previously issued and which are opposed thereto, are hereby annulled.

I, therefore, order that this be printed, published, distributed, and given due compliance.

Given in the National Palace of the Executive Power of the Mexican Union, on the 24th day of November, 1917.

V. CARRANZA.

PROPOSED ABROGATION OF TREATIES.

L E T T E R

FROM

THE ACTING SECRETARY OF STATE,

TRANSMITTING,

IN RESPONSE TO RESOLUTIONS ADOPTED BY THE SENATE DECEMBER 5, 1918, AND FEBRUARY 3, 1919, INFORMATION CONCERNING ABROGATION OF TREATIES.

MAY 20, 1919.—Referred to the Committee on Foreign Relations and ordered to be printed.

To the SENATE:

The undersigned, the Acting Secretary of State, refers to the resolutions adopted by the Senate of the United States on December 5, 1918, and February 3, 1919, which are quoted below:

Resolved, That the Secretary of State be, and he is hereby, directed to furnish the Senate the following information:

1. What countries, if any, have notified the United States of their intention to abrogate any treaties with the United States; and what treaties are to be abrogated, and the reasons therefor, if any are given.

2. The countries with which the United States has treaties which prevent us from giving preferences to Americans or American ships in the carrying of imports or exports, and what is necessary to be done to abrogate such treaties, and what, if any, steps our Government has taken to secure the abrogation of the same.

Attest:

(Signed)

JAMES M. BAKER,
Secretary.

Resolved, That the Secretary of State be, and he is hereby, directed to furnish the information called for by the Senate resolution of December 5, 1918, or inform the Senate why it can not be furnished.

Attest:

(Signed)

JAMES M. BAKER,
Secretary.

The Department of State was informed by the Executive Clerk of the Senate that Senator Jones stated that, with respect to the first point of the resolution, information concerning what has taken place subsequent to 1914 would be sufficient to meet the requirements of the Senate in that regard.

In the absence of the President from the country, the Acting Secretary of State transmits to the Senate herewith a memorandum prepared in the Department of State in response to the resolutions quoted above. It is hoped that this memorandum will contain the information desired by the Senate.

I may add that since the data contained in the inclosed memorandum was compiled, the Department of State received from the French Government a notice of the denunciation of the treaty between the United States and France, concluded June 24, 1822, cited on page 39 of the memorandum, and a notice from the Greek Government denouncing the treaty between the United States and Greece, concluded December 22, 1837. The last-mentioned treaty is cited on page 21 of the memorandum.

Respectfully submitted.

WILLIAM PHILLIPS.

DEPARTMENT OF STATE,
Washington, March 27, 1919.

MEMORANDUM.

I. TREATIES OR TREATY PROVISIONS WHICH HAVE BEEN ABROGATED SINCE 1914, OR CONCERNING WHICH NOTICE OF ABROGATION HAS BEEN GIVEN SINCE 1914, AND THE REASONS THEREFOR, IF ANY HAVE BEEN GIVEN.

BELGIUM.

Notice of the abrogation to take effect July 1, 1916, of Articles XI and XII of the treaty concluded between the United States and Belgium on March 9, 1880, was given by the United States in accordance with the provisions of the act of Congress approved March 4, 1915 (38 Stat. L., 1164).

In a note dated June 29, 1916, the Belgian Government indicated its acceptance of this abrogation, with the added statement that the other provisions of the treaty were understood to remain in force.

BOLIVIA.

Notice of the abrogation to take effect July 1, 1916, of Article XXXIV of the treaty between the United States and Bolivia, concluded May 13, 1858, was given by the United States in a note dated September 23, 1915, in accordance with the provisions of the act of Congress, approved March 4, 1915 (38 Stat. L., 1164).

In a note dated October 4, 1915, the Bolivian Government indicated its acceptance of this abrogation.

CHINA.

Notice of the abrogation to take effect July 1, 1916, of the provisions relating to deserting seamen contained in Article XVIII of the treaty between the United States and China, concluded June 18, 1858, was given by the United States in accordance with the provisions of the act of Congress, approved March 4, 1915 (38 Stat. L., 1164).

In a note dated June 30, 1916, the Chinese Government indicated its acceptance of this abrogation, with the added statement that the other provisions of the treaty were understood to remain in force.

COLOMBIA.

Notice of the abrogation to take effect July 1, 1916, of Article XXXIII of the treaty between the United States and Colombia, concluded December 12, 1846, and of Article III of the treaty between the United States and Colombia, concluded May 4, 1850, was given by the United States in accordance with the provisions of the act of Congress, approved March 4, 1915 (38 Stat. L., 1164).

No indication of the acceptance of this abrogation by the Colombian Government has been received by the Department of State.

KONGO.

Notice of the abrogation to take effect July 1, 1916, of Article V of the treaty between the United States and the independent State of the Kongo, concluded January 24, 1891, was given by the United States in accordance with the provisions of the act of Congress, approved March 4, 1915 (38 Stat. L., 1164).

In a note dated June 29, 1916, the Belgian Government indicated its acceptance of this abrogation, with the added statement that the other provisions of the treaty were understood to remain in force.

DENMARK.

Notice of the abrogation to take effect July 1, 1916, of Articles I and II of the treaty between the United States and Denmark, concluded July 11, 1861, was given by the United States in accordance with the provisions of the act of Congress, approved March 4, 1915 (38 Stat. L., 1164).

In a note dated June 2, 1916, the Danish Government indicated its acceptance of this abrogation.

FRANCE.

Notice of the abrogation to take effect July 1, 1916, of Article VI of the treaty between the United States and France, concluded June 24, 1822, and of Articles VIII and IX of the treaty between the United States and France, concluded February 23, 1853, was given by the United States in accordance with the provisions of the act of Congress, approved March 4, 1915 (38 Stat. L., 1164).

In a note dated February 14, 1916, the French Government indicated its acceptance of this abrogation.

GREAT BRITAIN.

Notice of the abrogation to take effect July 1, 1916, of the treaty between the United States and Great Britain, concluded June 3, 1892, was given by the United States in accordance with provisions of the act of Congress, approved March 4, 1915 (38 Stat. L., 1164).

In a note received by the American ambassador at London on July 29, 1915, the British Government indicated its acceptance of this abrogation.

GREECE.

Notice of the abrogation to take effect July 1, 1916, of Article XII and XIII of the treaty between the United States and Greece, concluded November 19, 1902, was given by the United States in accordance with the provisions of the act of Congress, approved March 4, 1915 (38 Stat. L., 1164).

In a note dated May 7, 1916, the Greek Government indicated its acceptance of this abrogation, with the added statement that the other provisions of the treaty were understood to remain in force.

ITALY.

Notice of the abrogation to take effect July 1, 1916, of Article XIII of the treaty between the United States and Italy, concluded May 8, 1878, and of the treaty between the United States and Italy, concluded February 24, 1881, was given by the United States in accordance with the provisions of the act of Congress, approved March 4, 1915 (38 Stat. L., 1164).

In a note dated June 11, 1917, the Government of Italy indicated its acceptance of this abrogation.

THE NETHERLANDS.

Notice of the abrogation, to take effect July 1, 1916, of Article III of the treaty between the United States and the Netherlands, concluded January 19, 1839, and Article XII of the treaty between the United States and the Netherlands, concluded May 23, 1878, was given by the United States in accordance with the provisions of the act of Congress, approved March 4, 1915 (38 Stat. L., 1164).

The Netherlands Government, having made known to the Government of the United States its unwillingness to consent to the termination of the articles of the treaties mentioned, notice that the treaties would terminate on May 10, 1919, was given by the United States in a note dated May 10, 1918.

NORWAY.

Notice of the abrogation, to take effect July 1, 1916, of a portion of Article XIII and of the whole of Article XIV of the treaty between the United States and Norway, concluded July 4, 1827, was given by the United States in accordance with the provisions of the act of Congress, approved March 4, 1915 (38 Stat. L., 1164).

The Government of Norway has indicated its acceptance of this abrogation.

ROUMANIA.

Notice of the abrogation, to take effect July 1, 1916, of Articles XI and XII of the treaty between the United States and Roumania, concluded June 17, 1881, was given by the United States in accordance with the provisions of the act of Congress, approved March 4, 1915 (38 Stat. L., 1164).

No indication of the acceptance of this abrogation by the Roumanian Government has been received by the Department of State.

SPAIN.

Notice of the abrogation, to take effect July 1, 1916, of Articles XXIII and XXIV of the treaty between the United States and Spain, concluded July 3, 1902, was given by the United States, in accordance with provisions of the act of Congress, approved March 4, 1915 (38 Stat. L., 1164).

The Spanish Government having indicated its unwillingness to acquiesce in this abrogation, notice was given by the United States Government of the denunciation of the treaty in its entirety, to take effect May 8, 1919. The Department of State is giving favorable consideration to a request of the Spanish Government for the withdrawal of this notice. The Spanish Government has indicated its acceptance of the abrogation of Articles XXIII and XXIV, and the department expects to withdraw its notice of abrogation denouncing the treaty in its entirety.

SWEDEN.

Notice of the abrogation, to take effect July 1, 1916, of Articles XIII and XIV of the treaty between the United States and Sweden and Norway concluded July 4, 1827, was given by the United States in accordance with the provisions of the act of Congress approved March 4, 1915 (38 Stat. L., 1164).

The Government of Sweden having indicated its unwillingness to accept this abrogation, notice was given by the United States that the treaty in its entirety would terminate on February 4, 1919.

Notice of the abrogation, to take effect July 1, 1916, of Articles XI and XII of the treaty between the United States and Sweden concluded June 1, 1910, was given by the United States in accordance with the provisions of the act of Congress approved March 4, 1915 (38 Stat. L., 1164).

TONGA.

Notice of the abrogation, to take effect on July 1, 1916, of Article X of the treaty between the United States and Tonga concluded October 2, 1886, was given by the United States in accordance with the provisions of the act of Congress approved March 4, 1915 (38 Stat. L., 1164).

No indication of the acceptance of this abrogation by the British Government has been received by the Department of State.

TURKEY.

The ambassador of Turkey at Washington gave notice by note of September 10, 1914, that his Government abrogated, as from October 1, 1915, the conventions known as the capitulations restricting the sovereignty of Turkey in her relations with certain powers. The note gives as the reason the desire of Turkey to free itself from what the note describes as an intolerable obstacle to all progress in the Turkish Empire.

The United States, by note of September 16, 1914, stated to the Turkish Government that it did not acquiesce in the endeavor of the Imperial Government to set aside the capitulations, and that its attempt to this end being unilateral, can have no effect upon the rights and privileges enjoyed by American citizens under the capitulatory conventions.

II. TREATY PROVISIONS WHICH MIGHT BE AFFECTED BY LEGISLATION GIVING PREFERENTIAL TREATMENT OF AMERICANS OR AMERICAN SHIPS IN THE CARRYING OF IMPORTS OR EXPORTS; WHAT IS NECESSARY TO ABROGATE SUCH PROVISIONS, AND WHAT STEPS HAVE BEEN TAKEN, IF ANY, TOWARD ABROGATION.

ARGENTINE REPUBLIC.

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION, CONCLUDED JULY 27, 1853.

Art. 11, 10 Stat. L., 1007; 1 Malloy, 21:

There shall be between all the territories of the United States and all the territories of the Argentine Confederation a reciprocal freedom of commerce. The citizens of the two countries, respectively, shall have liberty, freely and securely, to come with their ships and cargoes to all places, ports, and rivers in the territories of either to which other foreigners or the ships or cargoes of any other foreign nation or State are or may be permitted to come; to enter into the same; and to remain and reside in any part thereof, respectively; to hire and occupy houses and warehouses for the purposes of their residence and commerce; to trade in all kinds of produce, manufactures, and merchandise of lawful commerce; and generally to enjoy in all their business the most complete protection and security, subject to the general laws and usages of the two countries, respectively. In like manner, the respective ships of war and post-office or passenger packets of the two countries shall have liberty, freely and securely, to come to all harbors, rivers, and places to which other foreign ships of war and packets are, or may be, permitted to come, to enter into the same; to anchor and remain there and refit, subject always to the laws and usages of the two countries, respectively.

Art. V, 10 Stat. L., 1007; 1 Malloy, 22:

No other or higher duties or charges on account of tonnage, light or harbor dues, pilotage, salvage in case of average or shipwreck, or any other local charges shall be imposed in the ports of the two contracting parties on the vessels of the other than those payable in the same ports on its own vessels.

Art. VI, 10 Stat., L. 1007; 1 Malloy, 22:

The same duties shall be paid and the same drawbacks and bounties allowed upon the importation or exportation of any article into or from the territories of the United States, or into or from the territories of the Argentine Confederation, whether such importation or exportation be made in vessels of the United States or in vessels of the Argentine Confederation.

Art. VIII, 10 Stat. L., 1008; 1 Malloy, 22:

All merchants, commanders of ships, and others, citizens of the United States, shall have full liberty in all the territories of the Argentine Confederation to manage their own affairs themselves or to commit them to the management of whomsoever they please, as broker, factor, agent, or interpreter; nor shall they be obliged to employ any other persons in those capacities than those employed by citizens of the Argentine Confederation, nor to pay them any other salary or remuneration than such as is paid in like cases by citizens of the Argentine Confederation. And absolute freedom shall be allowed in all cases to the buyer and seller to bargain and fix the price of any goods, wares, or merchandise imported into or exported from the Argentine Confederation, as they shall see good, observing the laws and established customs of the country. The same rights and privileges in all respects shall be enjoyed in the territories of the United States by the citizens of the Argentine Confederation. The citizens of the two contracting parties shall reciprocally receive and enjoy full and perfect protection for their persons and property, and shall have free and open access

to the courts of justice in the said countries, respectively, for the prosecution and defense of their just rights, and they shall be at liberty to employ in all cases such advocates, attorneys, or agents as they may think proper; and they shall enjoy, in this respect, the same rights and privileges therein as native citizens.

Art. IX, 10 Stat. L., 1009; 1 Malloy, 23:

In whatever relates to the police of the ports, the lading and unlading of ships, the safety of the merchandise, goods and effects, and to the acquiring and disposing of property of every sort and denomination, either by sale, donation, exchange, testament, or in any other manner whatsoever, as also to the administration of justice, the citizens of the two contracting parties shall reciprocally enjoy the same privileges, liberties, and rights as native citizens; and they shall not be charged, in any of those respects, with any higher imposts or duties than those which are paid, or may be paid, by native citizens, submitting, of course, to the local laws and regulations of each country, respectively. If any citizen of either of the two contracting parties shall die without will or testament, in any of the territories of the other, the Consul General or Consul of the nation to which the deceased belonged, or the representative of such Consul General or Consul, in his absence, shall have the right to intervene in the possession, administration, and judicial liquidation of the estate of the deceased, conformably with the laws of the country, for the benefit of the creditors and legal heirs.

The treaty from which the above-quoted articles are taken contains no provision for abrogation; hence, an agreement by the parties thereto would seem to be necessary effectively to accomplish its abrogation as an international agreement.

No action has been taken by either Government looking to abrogation.

BELGIUM.

TREATY OF COMMERCE AND NAVIGATION, CONCLUDED MARCH 8, 1875.

Art. I, 19 Stat. L., 628; 1 Malloy, 91:

There shall be full and entire freedom of commerce and navigation between the inhabitants of the two countries, and the same security and protection which is enjoyed by the citizens or subjects of each country shall be guaranteed on both sides. The said inhabitants, whether established or temporarily residing within any ports, cities, or places whatever of the two countries, shall not, on account of their commerce or industry, pay any other or higher duties, taxes, or imposts than those which shall be levied on citizens or subjects of the country in which they may be; and the privileges, immunities, and other favors, with regard to commerce or industry, enjoyed by the citizens or subjects of one of the two States, shall be common to those of the other.

Art. II, 19 Stat. L., 629; 1 Malloy, 91:

Belgian vessels, whether coming from a Belgian or a foreign port, shall not pay, either on entering or leaving the ports of the United States, whatever may be their destination, any other or higher duties of tonnage, pilotage, anchorage, buoys, lighthouses, clearance, brokerage, or, generally, other charges whatsoever than are required from vessels of the United States in similar cases. This provision extends not only to duties levied for the benefit of the State, but also to those levied for the benefit of provinces, cities, countries, districts, townships, corporations, or any other divisions of jurisdiction, whatever may be its designation.

Art. III, 19 Stat. L., 629; 1 Malloy, 91:

Reciprocally, vessels of the United States, whether coming from a port of said States or from a foreign port, shall not pay, either on entering or leaving the ports of Belgium, whatever may be their destination, any other or higher duties of tonnage, pilotage, anchorage, buoys, lighthouses, clearance, brokerage, or, generally, other charges whatever than are required from Belgian vessels

in similar cases. This provision extends not only to duties levied for the benefit of the State, but also to those levied for the benefit of provinces, cities, countries, districts, townships, corporations, or any other division or jurisdiction, whatever may be its designation.

Art. V, 19 Stat. L., 630; 1 Malloy, 91:

Objects of any kind soever introduced into the ports of either of the two States under the flag of the other, whatever may be their origin and from what country soever the importation thereof may have been made, shall not pay other or higher entrance duties, nor shall be subjected to other charges or restrictions than they would pay or be subjected to where they imported under the national flag.

Art. VI, 19 Stat. L., 630; 1 Malloy, 92:

Articles of every description exported by Belgian vessels or by those of the United States of America from the ports of either country to any country whatsoever shall be subjected to no other duties or formalities than such as are required for exportation under the flag of the country where the shipment is made.

Art. VII, 19 Stat. L., 630; 1 Malloy, 92:

All premiums, drawbacks, or other favors of like nature which may be allowed in the States of either of the contracting parties upon goods imported or exported in national vessels shall be likewise and in the same manner allowed upon goods imported directly from one of the two countries by its vessels into the other or exported from one of the two countries by the vessels of the other to any destination whatsoever.

Art. VIII, 19 Stat. L., 631; 1 Malloy, 92:

The preceding article is, however, not to apply to the importation of the produce of the national fisheries, each of the two parties reserving to itself the faculty of granting special privileges for the importation of those articles under its own flag.

Art. X, 19 Stat. L., 631; 1 Malloy, 92:

Belgian vessels and those of the United States may, conformably with the laws of the two countries, retain on board in the ports of both such parts of their cargoes as may be destined for a foreign country, and such parts shall not be subjected, either while they remain on board or upon reexportation, to any charges whatsoever other than those for the prevention of smuggling.

Art. XI, 19 Stat. L., 631; 1 Malloy, 92:

During the period allowed by the laws of the two countries, respectively, for the warehousing of goods, no duties, other than those of watch and storage, shall be levied upon articles brought from either country into the other while awaiting transit, reexportation, or entry for consumption. Such goods shall in no case be subject to higher warehouse charges, or to other formalities, than if they had been imported under the flag of the country.

Art. XIII, 19 Stat. L., 632; 1 Malloy, 93:

In cases of shipwreck, damages at sea, or forced putting in, each party shall afford to the vessels of the other, whether belonging to the State or to individuals, the same assistance and protection and the same immunities which would have been granted to its own vessels in similar cases.

Art. XVI, 19 Stat. L., 633; 1 Malloy, 94:

The present treaty shall be in force during ten years from the date of the exchange of the ratifications and until the expiration of twelve months after either of the high contracting parties shall have announced to the other its intention to terminate the operation thereof, each party reserving to itself the right of making such declaration to the other at the end of the ten years above mentioned; and it is agreed that after the expiration of the twelve months of prolongation accorded on both sides this treaty and all its stipulations shall cease to be in force.

According to Article XVI quoted, notice of abrogation should be given 12 months in advance of desired termination. No action has been taken looking to abrogation.

BOLIVIA.

TREATY OF PEACE, FRIENDSHIP, COMMERCE, AND NAVIGATION, CONCLUDED MAY 18, 1858.

Art. III, 12 Stat. L., 1006; 1 Malloy, 114:

The United States of America and the Republic of Bolivia mutually agree that there shall be reciprocal liberty of commerce and navigation between their respective territories and citizens. The citizens of either republic may frequent with their vessels all the coasts, ports, and places of the other where foreign commerce is permitted, and reside in all parts of the territory of either, and occupy dwellings and warehouses; and everything belonging thereto shall be respected and shall not be subjected to any arbitrary visits or search. The said citizens shall have full liberty to trade in all parts of the territory of either, according to the rules established by the respective regulations of commerce, in all kinds of goods, merchandise, manufactures, and produce not prohibited to all, and to open retail stores and shops under the same municipal and police regulations as native citizens. No examination or inspection of their books, papers, or accounts shall be made without the legal order of a competent tribunal or judge.

The provisions of this treaty are not to be understood as applying to the navigation and coasting trade between one port and another, situated in the territory of either of the contracting parties, the regulations of such navigation and trade being reserved, respectively, by the parties according to their own separate laws. Vessels of either country shall, however, be permitted to discharge part of their cargoes at one port, open to foreign commerce, in the territories of either of the high contracting parties, paying only the custom-house duties upon that portion of the cargo which may be discharged, and to proceed with the remainder of their cargo to any other port or ports of the same territory, open to foreign commerce, without paying other or higher tonnage duties or port charges in such cases than would be paid by national vessels in like circumstances; and they shall be permitted to load in like manner at different ports in the same voyage outward.

The citizens of either country shall also have the unrestrained right to travel in any part of the possessions of the other, and shall in all cases enjoy the same security and protection as the natives of the country in which they reside, on condition of their submitting to the laws, decrees, and ordinances there prevailing. They shall not be called upon for any forced loan or occasional contribution, nor shall they be liable to any embargo, or to be detained with their vessels, cargoes, merchandise, goods, or effects for any military expedition, or for any public purpose whatsoever, without being allowed therefor a full and sufficient indemnification, which shall in all cases be agreed upon and paid in advance.

Art. IV, 12 Stat. L., 1006; 1 Malloy, 115:

All kinds of produce, manufactures, or merchandise of any foreign country which can, from time to time, be lawfully imported into the United States in their own vessels may be also imported in vessels of the Republic of Bolivia; and no higher or other duties upon the tonnage of the vessel and her cargo shall be levied and collected, whether the importation be made in the vessels of the one country or of the other; and in like manner all kinds of produce, manufactures, and merchandise of any foreign country that can be from time to time lawfully imported into the Republic of Bolivia in its own vessels, whether in her ports upon the Pacific or her ports upon the tributaries of the Amazon or La Plata, may be also imported in vessels of the United States; and no higher or other duties upon the tonnage of the vessel and her cargo shall be levied or collected, whether the importation be made in vessels of the one country or of the other. And they agree that what may be lawfully exported or reexported from the one country in its own vessels to any foreign country may, in like manner, be exported or reexported in the vessels of the other country, and the same

bounties, duties, and drawbacks shall be allowed and collected, whether such exportation or reexportations be made in vessels of the United States or of the Republic of Bolivia.

In all these respects the vessels and their cargoes of the one country, in the ports of the other, shall also be on an equal footing with those of the most-favored nation. It being further understood that these principles shall apply whether the vessels shall have cleared directly from the ports of the nation to which they appertain, or from the ports of any other nation.

Art. VII, 12 Stat. L., 1007; 1 Malloy, 116:

It is likewise agreed that it shall be wholly free for all merchants, commanders of ships, and other citizens of either country, to manage themselves their own business, in all the ports and places subject to the jurisdiction of the other, as well with respect to the consignment and sale of their goods and merchandise, by wholesale or retail, as with respect to the loading, unloading, and sending off their ships; they being in all these cases to be treated as citizens of the country in which they reside, or at least to be placed on a footing with the citizens or subjects of the most-favored nation.

Art. VIII, 12 Stat. L., 1009; 1 Malloy, 116:

The Republic of Bolivia, desiring to increase the intercourse between the Pacific ports by means of steam navigation, engages to accord to any citizen or citizens of the United States who may establish a line of steam-vessels to navigate regularly between the different ports and bays of the coasts of the Bolivian territory, the same privileges of taking on and landing freight and cargo, entering the by-ports for the purpose of receiving and landing passengers and their baggage and money, carrying the public mails, establishing depots for coal, erecting the necessary machine and work shops for repairing and refitting the steam vessels, and all other favors enjoyed by any other association or company whatsoever of the same character. It is furthermore understood between the two high contracting parties that the steam vessels of either shall not be subject, in the ports of the other party, to any duties of tonnage, harbor, or other similar duties whatsoever than those that are or may be paid by any other association or company.

Art. IX, 12 Stat. L., 1009; 1 Malloy, 117:

Whenever the citizens of either of the contracting parties shall be forced to seek refuge or asylum in the rivers, ports, or dominions of the other with their vessels, whether merchant or of war, through stress of weather, pursuit of pirates or enemies, they shall be received and treated with humanity, giving to them all favor and protection for repairing their ships and placing themselves in a situation to continue their voyage without obstacles or hindrance of any kind. And the provisions of this article shall apply to privateers or private vessels of war as well as public, until the two high contracting parties may relinquish the right of that mode of warfare, in consideration of the general relinquishment of the right of capture of private property upon the high seas.

Art. X, 12 Stat. L., 1009; 1 Malloy, 117:

When any vessel belonging to the citizens of either of the contracting parties shall be wrecked or shall suffer any damages in the seas, rivers, or channels within the dominions of the other, there shall be given to them all assistance and protection, in the same manner which is usual and customary with the vessels of the nation where the damage happens, permitting them to unload the said vessel, if necessary, of its merchandise and effects without exacting for it any duty, impost, or contribution whatever.

Art. XXXVI, 12 Stat. L., 1021; 1 Malloy, 124:

The United States of America and the Republic of Bolivia, desiring to make as durable as circumstances will permit the relations which are established between the two parties by virtue of this treaty of peace, amity, commerce, and navigation, declare solemnly and agree to the following points:

1st. The present treaty shall remain in full force and virtue for the term of ten years, to be counted from the day of the exchange of the ratifications, and, further, until the end of one year after either of the contracting parties shall have given notice to the other of its intention to terminate the same; each of

the contracting parties reserving to itself the right of giving such notice to the other at the end of said term of ten years; and it is agreed between them that, on the expiration of one year after such notice shall have been received by either from the other party, this treaty, in all its parts relative to commerce and navigation, shall altogether cease and determine; and in all those parts which relate to peace and friendship it shall be perpetual and permanently binding on both powers.

According to Article XXXVI quoted, notice of abrogation should be given one year in advance of date of desired termination. No action has been taken looking to abrogation.

CHINA.

TREATY AS TO COMMERCIAL INTERCOURSE AND JUDICIAL PROCEDURE, CONCLUDED
NOVEMBER 17, 1880.

Art. III, 22 Stat. L., 829; 1 Malloy, 240:

His Imperial Majesty the Emperor of China hereby promises and agrees that no other kind or higher rate of tonnage dues, or duties for imports or exports, or coastwise trade shall be imposed or levied in the open ports of China upon vessels wholly belonging to citizens of the United States; or upon the produce, manufactures, or merchandise imported in the same from the United States, or from any foreign country; or upon the produce, manufactures, or merchandise exported in the same to the United States or to any foreign country, or transported in the same from one open port of China to another, than are imposed or levied on vessels or cargoes of any other nation or on those of Chinese subjects.

The United States hereby promises and agree that no other kind or higher rate of tonnage dues or duties for imports shall be imposed or levied in the ports of the United States upon vessels wholly belonging to the subjects of His Imperial Majesty and coming either directly or by way of any foreign port, from any of the ports of China which are open to foreign trade, to the ports of the United States; or returning therefrom, either directly or by way of any foreign port, to any of the open ports of China; or upon the produce, manufactures, or merchandise imported in the same from China or from any foreign country than are imposed or levied on vessels of other nations which make no discrimination against the United States in tonnage dues or duties on imports, exports, or coastwise trade; or than are imposed or levied on vessels and cargoes of citizens of the United States.

TREATY AS TO COMMERCIAL RELATIONS, CONCLUDED OCTOBER 8, 1908.

Art. XVII, 33 Stat. L., Part II, 2215; 1 Malloy, 269:

It is agreed between the High Contracting Parties hereto that all the provisions of the several treaties between the United States and China which were in force on the first day of January, A. D. 1900, are continued in full force and effect except in so far as they are modified by the present Treaty or other treaties to which the United States is a party.

The present Treaty shall remain in force for a period of ten years beginning with the date of the exchange of ratifications and until a revision is effected, as hereinafter provided.

It is further agreed that either of the High Contracting Parties may demand that the tariff and the articles of this convention be revised at the end of ten years from the date of the exchange of the ratifications thereof. If no revision is demanded before the end of the first term of ten years, then these articles in their present form shall remain in full force for a further term of ten years, reckoned from the end of the first term, and so on for successive periods of ten years.

The treaty from which the above quoted articles are taken contains no provision for abrogation; hence, agreement by the parties thereto would seem to be necessary effectively to accomplish its abrogation as an international agreement.

No action has been taken by either Government looking to abrogation.

COLOMBIA (NEW GRANADA).

TREATY OF PEACE, AMITY, NAVIGATION, AND COMMERCE, CONCLUDED DECEMBER 12, 1846.

Art. III, 9 Stat. L., 882; 1 Malloy, 303:

The two high contracting parties, being likewise desirous of placing the commerce and navigation of their respective countries on the liberal basis of perfect equality and reciprocity, mutually agree that the citizens of each may frequent all the coasts and countries of the other, and reside and trade there, in all kinds of produce, manufactures, and merchandise; and that they shall enjoy all the rights, privileges, and exemptions, in navigation and commerce, which native citizens do or shall enjoy, submitting themselves to the laws, decrees, and usages there established, to which native citizens are subjected. But it is understood that this article does not include the coasting trade of either country, the regulation of which is reserved by the parties, respectively, according to their own separate laws.

Art. IV, 9 Stat. L., 882; 1 Malloy, 303:

They likewise agree that whatever kind of produce, manufacture, or merchandise of any foreign country can be, from time to time, lawfully imported into the United States in their own vessels, may be also imported in vessels of the Republic of New Granada; and that no higher or other duties upon the tonnage of the vessel and her cargo shall be levied and collected, whether the importation be made in vessels of the one country or of the other. And, in like manner, that whatever kind of produce, manufacture, or merchandise of any foreign country can be from time to time lawfully imported into the Republic of New Granada in its own vessels may be also imported in vessels of the United States; and that no higher or other duties upon the tonnage of the vessel and her cargo shall be levied or collected whether the importation be made in vessels of the one country or the other.

And they further agree that whatever may be lawfully exported or reexported from the one country in its own vessels to any foreign country may, in like manner, be exported or reexported in the vessels of the other country; and the same bounties, duties, and drawbacks shall be allowed and collected whether such exportation or reexportation be made in vessels of the United States or of the Republic of New Granada.

Art. VI, 9 Stat. L., 882; 1 Malloy, 304:

In order to prevent the possibility of any misunderstanding, it is hereby declared that the stipulations contained in the three preceding articles are to their full extent applicable to the vessels of the United States and their cargoes arriving in the ports of New Granada, and reciprocally to the vessels of the said Republic of New Granada and their cargoes arriving in the ports of the United States, whether they proceed from the ports of the country to which they respectively belong or from the ports of any other foreign country; and, in either case, no discriminating duty shall be imposed or collected in the ports of either country on said vessels or their cargoes, whether the same shall be of native or foreign produce or manufacture.

Art. VII, 9 Stat. L., 884; 1 Malloy, 304:

It is likewise agreed that it shall be wholly free for all merchants, commanders of ships, and other citizens of both countries to manage, by themselves or agents, their own business in all the ports and places subject to the jurisdiction of each other as well with respect to the consignments and sale of their goods and merchandise by wholesale or retail as with respect to the loading, unloading, and sending off their ships; they being in all these cases to be treated as citizens of the country in which they reside or at least to be placed on an equality with the subjects or citizens of the most favored nation.

Art. IX, 9 Stat. L., 885; 1 Malloy, 305:

Whenever the citizens of either of the contracting parties shall be forced to seek refuge or asylum in the rivers, bays, ports, or dominions of the other with their vessels, whether merchant or of war, public or private, through

stress of weather, pursuit of pirates or enemies, or want of provisions or water, they shall be received and treated with humanity, giving to them all favor and protection for repairing their ships, procuring provisions, and placing themselves in a situation to continue their voyage without obstacle or hindrance of any kind, or the payment of port fees, or any charges other than pilotage, except such vessels continue in port longer than forty-eight hours, counting from the time they cast anchor in port.

Art. X, 9 Stat. L., 885; 1 Malloy, 305:

All the ships, merchandise, and effects belonging to the citizens of one of the contracting parties, which may be captured by pirates, whether within the limits of its jurisdiction or on the high seas, and may be carried or found in the rivers, roads, bays, ports, or domains of the other, shall be delivered up to the owners, they proving in due and proper form their rights before the competent tribunals; it being well understood that the claim shall be made within the terms of one year by the parties themselves, their attorneys, or agents of their representative governments.

Art. XI, 9 Stat. L., 886; 1 Malloy, 305:

When any vessels belonging to the citizens of either of the contracting parties shall be wrecked or foundered, or shall suffer any damage on the coasts, or within the dominions of the other, there shall be given to them all assistance and protection, in the same manner which is usual and customary with the vessels of the nation where the damage happens; permitting them to unload the said vessel, if necessary, of its merchandise and effects, without exacting for it any duty, impost or contribution whatever, unless they may be destined for consumption or sale in the country of the port where they may have been disembarked.

Art. XXXV, 9 Stat. L., 889; 1 Malloy, 313:

* * * 2d. The present treaty shall remain in full force and vigor for the term of twenty years from the day of the exchange of the ratifications; and from the same day the treaty that was concluded between the United States and Colombia, on the thirtieth of October, 1824, shall cease to have effect, notwithstanding what was disposed in the first point of its 31st Article.

3d. Notwithstanding the foregoing, if neither party notifies to the other its intention of re-forming any of, or all, the articles of this treaty twelve months before the expiration of the twenty years stipulated above, the said treaty shall continue binding on both parties beyond the said twenty years until twelve months from the time that one of the parties notifies its intention of proceeding to a re-form.

According to Article XXXV quoted, notice of abrogation should be given 12 months in advance of desired termination. No action has been taken looking to abrogation.

CONGO.

TREATY OF AMITY, COMMERCE, AND NAVIGATION, CONCLUDED JANUARY 24, 1891.

Art. I, 27 Stat. L., 926; 1 Malloy, 329:

There shall be full, entire, and reciprocal liberty of commerce, establishment and navigation between the citizens and inhabitants of the two High contracting Parties.

The citizens and inhabitants of the United States of America in the Independent State of the Congo and those of the Independent State of the Congo in the United States of America shall have reciprocally the right, on conforming to the laws of the country, to enter, travel, and reside in all parts of their respective territories; to carry on business there; and they shall enjoy in this respect, for the protection of their persons and their property, the same treatment and the same rights as the natives or the citizens and inhabitants of the most favored nation.

They can freely exercise their industry or their business, as well wholesale as retail, in the whole extent of the territories, without being subjected, as to their persons or their property or by reason of their business, to any taxes,

general or local, imposts or conditions whatsoever other or more onerous than those which are imposed or may be imposed upon the natives other than non-civilized aborigines or upon the citizens and inhabitants of the most favored nation.

In like manner they will enjoy reciprocally the treatment of the most favored nation in all that relates to rights, privileges, exemptions, and immunities whatsoever concerning their persons or their property and in the matter of commerce, industry, and navigation.

The treaty from which the above-quoted article is taken contains no provision for abrogation; hence, agreement by the parties thereto would seem to be necessary effectively to accomplish its abrogation as an international agreement.

No action has been taken by either Government looking to abrogation.

COSTA RICA.

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION CONCLUDED JULY 10, 1851.

Art II, 10 Stat. L., 19; 1 Malloy, 341:

There shall be between all the territories of the United States and the territories of the Republic of Costa Rica a reciprocal freedom of commerce. The subjects and citizens of the two countries, respectively, shall have liberty, freely and securely, to come with their ships and cargoes to all places, ports, and rivers in the territories aforesaid, to which other foreigners are or may be permitted to come; to enter into the same and to remain and reside in any part thereof, respectively; also to hire and occupy houses and warehouses for the purposes of their commerce; and, generally, the merchants and traders of each nation, respectively, shall enjoy the most complete protection and security for their commerce, subject always to the laws and statutes of the two countries, respectively.

In like manner, the respective ships of war and post-office packets of the two countries shall have liberty, freely and securely, to come to all harbors, rivers, and places to which other foreign ships of war and packets are or may be permitted to come, to enter into the same, to anchor, and to remain there and refit, subject always to the laws and statutes of the two countries, respectively.

By the right of entering the places, ports, and rivers mentioned in this article, the privilege of carrying on the coasting trade is not understood; in which trade national vessels only of the country where the trade is carried on are permitted to engage.

Art. V, 10 Stat. L., 981; 1 Malloy, 343:

No higher nor other duties or payments on account of tonnage, of light or harbor dues, of pilotage, of salvage, in case either of damage or shipwreck, or on account of any other local charges, shall be imposed in any of the ports of the Republic of Costa Rica, on vessels of the United States, than those payable in the same ports by Costa Rican vessels; nor in any of the ports of the United States on Costa Rican vessels than shall be payable in the same ports on vessels of the United States.

Art. VI, 10 Stat. L., 919; 1 Malloy, 348:

The same duties shall be paid on the importation into the territories of the Republic of Costa Rica of any article being of the growth, produce, or manufacture of the territories of the United States, whether such importation shall be made in Costa Rican or in vessels of the United States; and the same duties shall be paid on the importation into the territories of the United States of any article being of the growth, produce, or manufacture of the Republic of Costa Rica, whether such importation shall be made in United States or in Costa Rican vessels.

The same duties shall be paid and the same bounties and drawbacks allowed on the exportation to the Republic of Costa Rica of any articles being of the growth, produce, or manufacture of the territories of the United States, whether such exportations shall be made in Costa Rican, or in United States

vessels; and the same duties shall be paid and the same bounties and drawbacks allowed on the exportation of any articles being the growth, produce, or manufacture of the Republic of Costa Rica to the territories of the United States, whether such exportation shall be made in United States or in Costa Rican vessels.

Art. VII, 10 Stat. L., 919; 1 Malloy, 343:

All merchants, commanders of ships, and others, citizens of the United States, shall have full liberty in all territories of the Republic of Costa Rica to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as broker, factor, agent, or interpreter; nor shall they be obliged to employ any other persons in those capacities than those employed by Costa Ricans, nor to pay them any other salary or remuneration than such as is paid in like cases by Costa Rican citizens; and absolute freedom shall be allowed in all cases to the buyer and seller to bargain and fix the price of any goods, wares, or merchandise imported into or exported from the Republic of Costa Rica, as they shall see good, observing the laws and established customs of the country. The same privileges shall be enjoyed in the territories of the United States by the citizens of the Republic of Costa Rica under the same conditions.

The citizens of the high contracting parties shall reciprocally receive and enjoy full and perfect protection for their persons and property, and shall have free and open access to the courts of justice in the said countries, respectively, for the prosecution and defense of their just rights; and they shall be at liberty to employ in all cases the advocates, attorneys, or agents of whatever description whom they may think proper, and they shall enjoy in this respect the same rights and privileges therein as native citizens.

Art. VIII, 10 Stat. L., 920; 1 Malloy, 344:

In whatever relates to the police of the ports the lading and unlading of ships, the safety of merchandise, goods, and effects, the succession to personal estates by will or otherwise, and the disposal of personal property of every sort and denomination, by sale, donation, exchange, testament, or in any other manner whatsoever, as also the administration of justice, the citizens of the two high contracting parties shall reciprocally enjoy the same privileges, liberties, and rights as native citizens, and they shall not be charged in any of these respects with any higher imposts or duties than those which are paid or may be paid by native citizens; submitting, of course, to the local laws and regulations of each country, respectively.

Art. XIII, 10 Stat. L., 920; 1 Malloy, 345:

In order that the two high contracting parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective citizens, it is agreed that, at any time after the expiration of seven years from the date of the exchange of the ratifications of the present treaty, either of the high contracting parties shall have the right of giving to the other party notice of its intention to terminate Articles IV, V, and VI, of the present treaty; and that, at the expiration of 12 months after such notice shall have been received by either party from the other, the said articles and all the stipulations contained therein shall cease to be binding on the two high contracting parties.

No provision is made in the treaty for abrogation, except as to Articles IV, V, and VI, as to which notice of 12 months is required in advance of termination. Otherwise an agreement would seem to be necessary effectively to accomplish abrogation as an international agreement. No action has been taken by either Government to that end.

CUBA.

COMMERCIAL CONVENTION, CONCLUDED DECEMBER 11, 1902.

Art. I, 1 Malloy, 353; 33 Stat. L., part 2, p. 2137:

During the term of this convention, all articles of merchandise being the product of the soil or industry of the United States which are now imported

into the Republic of Cuba free of duty, and all articles of merchandise being the product of the soil or industry of the Republic of Cuba which are now imported into the United States free of duty, shall continue to be so admitted by the respective countries free of duty.

Art. II, 1 Malloy, 354; 33 Stat. L., part 2, p. 2137:

During the term of this convention, all articles of merchandise not included in the foregoing Article I and being the product of the soil or industry of the Republic of Cuba imported into the United States, shall be admitted at a reduction of twenty percentum of the rates of duty thereon as provided by the Tariff Act of the United States, approved July 24, 1897, or as may be provided by any tariff law of the United States subsequently enacted.

Art. V, 1 Malloy, 355; 33 Stat. L., part 2, p. 2139:

It is understood and agreed that the laws and regulations adopted, or that may be adopted, by the United States and by the Republic of Cuba, to protect their revenues and prevent fraud in the declarations and proofs that the articles of merchandise to which this convention may apply are the product or manufacture of the United States and the Republic of Cuba, respectively, shall not impose any additional charge or fees thereon on the articles imported, excepting the consular fees established, or which may be established, by either of the two countries for issuing shipping documents, which fees shall not be higher than those charged on the shipments of similar merchandise from any other nation whatsoever.

Art. VII, 1 Malloy, 355; 33 Stat. L., part 2, p. 2140.

It is agreed that similar articles of both countries shall receive equal treatment on their importation into the ports of the United States and of the Republic of Cuba, respectively.

Art. VIII, 1 Malloy, 355; 33 Stat. L., part 2, p. 2140:

The rates of duty herein granted by the United States to the Republic of Cuba are and shall continue during the term of this convention preferential in respect to all like imports from other countries, and, in return for said preferential rates of duty granted to the Republic of Cuba by the United States, it is agreed that the concession herein granted on the part of the said Republic of Cuba to the products of the United States shall likewise be, and shall continue during the term of this convention, preferential in respect to all like imports from other countries. Provided, That while this convention is in force no sugar imported from the Republic of Cuba and being the product of the soil or industry of the Republic of Cuba, shall be admitted into the United States at a reduction of duty greater than twenty per centum of the rates of duty thereon as provided by the tariff act of the United States approved July 24, 1897, and no sugar, the product of any other foreign country, shall be admitted by treaty or convention into the United States, while this convention is in force at a lower rate of duty than that provided by the tariff act of the United States approved July 24, 1897.

Art. X, 1 Malloy, 356; 33 Stat. L., part 2, p. 2141:

It is hereby understood and agreed that in case of changes in the tariff of either country which deprive the other of the advantage which is represented by the percentages herein agreed upon, on the actual rates of the tariffs now in force, the country so deprived of this protection reserves the right to terminate its obligations under this convention after six months' notice to the other of its intention to arrest the operations thereof.

And it is further understood and agreed that if, at any time during the term of this convention, after the expiration of the first year, the protection herein granted to the products and manufactures of the United States on the basis of the actual rates of the tariff of the Republic of Cuba now in force should appear to the government of the said Republic to be excessive, in view of a new tariff law that may be adopted by it after this convention becomes operative, then the said Republic of Cuba may reopen negotiations with a view to securing such modifications as may appear proper to both contracting parties.

Art. XI, 1 Malloy, 356; 33 Stat. L., part 2, p. 2142:

The present convention shall be ratified by the appropriate authorities of the respective countries, and the ratifications shall be exchanged at Washington.

District of Columbia, United States of America, as soon as may be before the thirty-first day of January, 1903, and the convention shall go into effect on the tenth day after the exchange of ratifications, and shall continue in force for the term of five (5) years from date of going into effect, and from year to year thereafter until the expiration of one year from the day when either of the contracting parties shall give notice to the other of its intention to terminate the same.

According to Article XI quoted, notice of abrogation should be given one year in advance of desired termination. No action has been taken looking to abrogation.

DENMARK.

CONVENTION OF FRIENDSHIP, COMMERCE, AND NAVIGATION, CONCLUDED APRIL 26, 1826.

Art. II, 8 Stat. L., 340; 1 Malloy, 374:

The contracting parties being likewise desirous of placing the commerce and navigation of their respective countries on the liberal basis of perfect equality and reciprocity, mutually agree that the citizens and subjects of each may frequent all the coasts and countries of the other (with the exception hereafter provided for in the sixth article), and reside and trade there in all kinds of produce, manufactures, and merchandise; and they shall enjoy all the rights, privileges, and exemptions, in navigation and commerce, which native citizens or subjects do or shall enjoy, submitting themselves to the laws, decrees, and usages, there established, to which native citizens or subjects are subjected. But it is understood that this article does not include the coasting trade of either country, the regulation of which is reserved by the parties, respectively, according to their own separate laws.

Art. III, 8 Stat. L., 340; 1 Malloy, 374:

They likewise agree that whatever kind of produce, manufacture, or merchandise of any foreign country can be from time to time lawfully imported into the United States, in vessels belonging wholly to the citizens thereof, may be also imported in vessels wholly belonging to the subjects of Denmark; and that no higher or other duties upon the tonnage of the vessel or her cargo shall be levied and collected, whether the importation be made in vessels of the one country or of the other. And, in like manner, that whatever kind of produce, manufacture, or merchandise of any foreign country can be from time to time lawfully imported into the dominions of the King of Denmark in the vessels thereof (with the exception hereafter mentioned in the sixth article), may be also imported in vessels of the United States; and that no higher or other duties upon the tonnage of the vessel or her cargo shall be levied and collected, whether the importation be made in vessels of the one country or of the other. And they further agree, that whatever may be lawfully exported or reexported from the one country in its own vessels, to any foreign country, may in like manner be exported or reexported in the vessels of the other country. And the same bounties, duties, and drawbacks shall be allowed and collected, whether such exportation or reexportation be made in vessels of the United States or of Denmark. Nor shall higher or other charges of any kind be imposed in the ports of one party on vessels of the other than are or shall be payable in the same ports by native vessels.

Art. XI, 8 Stat. L., 342; 1 Malloy, 376:

The present convention shall be in force for ten years from the date hereof, and further until the end of one year after either of the contracting parties shall have given notice to the other of its intention to terminate the same, each of the contracting parties reserving to itself the right of giving such notice to the other at the end of the said term of ten years; and it is hereby agreed between them that, on the expiration of one year after such notice shall have been received by either from the other party, this convention, and all the provisions thereof, shall altogether cease and determine.

According to Article XI quoted, notice of abrogation should be given one year in advance of desired termination. No action has been taken looking to abrogation.

FRANCE.

CONVENTION OF NAVIGATION AND COMMERCE, CONCLUDED JUNE 24, 1822.

Art. I, 8 Stat. L., 278; 1 Malloy, 521:

Articles of the growth, produce, or manufacture of the United States, imported into France in vessels of the United States, shall pay an additional duty, not exceeding twenty francs per ton of merchandise, over and above the duties paid on the like articles, also of the growth, produce, or manufacture of the United States, when imported in French vessels.

Art. II, 8 Stat. L., 278; 1 Malloy, 521:

Articles of the growth, produce, or manufacture of France, imported into the United States in French vessels, shall pay an additional duty, not exceeding three dollars and seventy-five cents per ton of merchandise, over and above the duties collected upon the like articles, also of the growth, produce, or manufacture of France, when imported in vessels of the United States.

Art. III, 8 Stat. L., 278; 1 Malloy, 521:

No discriminating duty shall be levied upon the productions of the soil or industry of France, imported in French bottoms into the ports of the United States for transit or reexportation; nor shall any such duties be levied upon the productions of the soil or industry of the United States, imported in vessels of the United States into the ports of France for transit or reexportation.

Art. V, 8 Stat. L., 279-; 1 Malloy, 522:

The duties of tonnage, light-money, pilotage, port charges, brokerage, and all other duties upon foreign shipping, over and above those paid by the national shipping in the two countries respectively, other than those specified in Articles 1 and 2 of the present convention, shall not exceed in France, for vessels of the United States, five francs per ton of the vessel's American register; nor for vessels of France in the United States, ninety-four cents per ton of the vessel's French passport.

Art. VII, 8 Stat. L., 280; 1 Malloy, 522:

The present temporary convention shall be in force for two years from the first day of October next, and even after the expiration of that term, until the conclusion of a definitive treaty, or until one of the parties shall have declared its intention to renounce it; which declaration shall be made at least six months before hand.

And in case the present arrangement should remain without such declaration of its discontinuance by either party, the extra duties specified in the 1st and 2d articles, shall, from the expiration of the said two years, be, on both sides, diminished by one-fourth of their whole amount, and, afterwards by one-fourth of the said amount from year to year, so long as neither party shall have declared the intention of renouncing it as above stated.

According to Article VII, quoted, notice of abrogation should be given six months in advance of desired termination. No action has been taken looking to abrogation.

GREAT BRITAIN.

TREATY OF AMITY, COMMERCE, AND NAVIGATION, CONCLUDED NOVEMBER 19, 1794.

Art. III, 8 Stat. L., 117; 1 Malloy, 592:

It is agreed that it shall at all times be free to His Majesty's subjects and to the citizens of the United States, and also to the Indians dwelling on either side

of the said boundary line, freely to pass and repass by land or inland navigation into the respective territories and countries of the two parties on the continent of America (the country within the limits of the Hudson's Bay Company only excepted), and to navigate all the lakes, rivers, and waters thereof, and freely to carry on trade and commerce with each other. But it is understood that this article does not extend to the admission of vessels of the United States into the seaports, harbours, bays, or creeks of His Majesty's said territories, nor into such parts of the rivers in His Majesty's said territories as are between the mouth thereof and the highest port of entry from the sea, except in small vessels trading bona fide between Montreal and Quebec, under such regulations as shall be established to prevent the possibility of any frauds in this respect. Nor to the admission of British vessels from the sea into the rivers of the United States beyond the highest ports of entry for foreign vessels from the sea. The river Mississippi shall, however, according to the treaty of peace, be entirely open to both parties; and it is further agreed that all the ports and places on its eastern side, to whichever of the parties belonging, may freely be resorted to and used by both parties in as ample a manner as any of the Atlantic ports or places of the United States or any of the ports or places of His Majesty in Great Britain.

All goods and merchandise whose importation into His Majesty's said territories in America shall not be entirely prohibited, may freely, for the purpose of commerce, be carried into the same in the manner aforesaid by the citizens of the United States, and such goods and merchandise shall be subject to no higher or other duties than would be payable by His Majesty's subjects on the importation of the same from Europe into the said territories. And in like manner all goods and merchandise whose importation into the United States shall not be wholly prohibited, may freely, for the purpose of commerce, be carried into the same, in the manner aforesaid, by His Majesty's subjects, and such goods and merchandise shall be subject to no higher or other duties than would be payable by the citizens of the United States on the importation of the same in American vessels into the Atlantic ports of the said States. And all goods not prohibited to be exported from the said territories, respectively, may in like manner be carried out of the same by the two parties, respectively, paying duty as aforesaid.

No duty of entry shall ever be levied by either party on peltries brought by land or inland navigation into the said territories, respectively, nor shall the Indians passing or repassing with their own proper goods and effects of whatever nature pay for the same any impost or duty whatever. But goods in bales, or other large packages, unusual among Indians, shall not be considered as goods belonging bona fide to Indians.

No higher or other tolls or rates of ferriage than what are or shall be payable by natives shall be demanded on either side, and no duties shall be payable on any goods which shall merely be carried over any of the portages or carrying places on either side for the purpose of being immediately reembarked and carried to some other place or places. But as by this stipulation it is only meant to secure to each party a free passage across the portages on both sides, it is agreed that this exemption from duty shall extend only to such goods as are carried in the usual and direct road across the portage, and are not attempted to be in any manner sold or exchanged during their passage across the same, and proper regulations may be established to prevent the possibility of any frauds in this respect.

As this article is intended to render in a great degree the local advantages of each party common to both, and thereby to promote a disposition favorable to friendship and good neighborhood, it is agreed that the respective Governments will mutually promote this amicable intercourse by causing speedy and impartial justice to be done, and necessary protection to be extended to all who may be concerned therein.

Whether the treaty above quoted from continued in force after the War of 1812 has been the subject of controversy between Great Britain and the United States. With respect to this treaty and others concluded between the United States and Great Britain prior to the War of 1812, Lord Bathurst, in a note to John Quincy Adams, stated: "She [Great Britain] knows of no exception to the rule that all treaties are put an end to by a subsequent war between the same parties." (American State Papers, vol. 4, p. 354.) Against this view

of the British Government and its unqualified expression the United States protested. (See note to p. 580, Vol. I, Malloy's Treaties, Conventions, International Acts, Protocols, and Agreements Between the United States and Other Powers, 1776-1909.)

The treaty from which the above-quoted article is taken contains no provision for abrogation; hence agreement by the parties thereto would seem to be necessary effectively to accomplish its abrogation as an international agreement.

No action has been taken by either Government looking to abrogation.

CONVENTION OF COMMERCE AND NAVIGATION, CONCLUDED JULY 3, 1815.

Art. I, 8 Stat. L., 228; 1 Malloy, 624:

There shall be between the territories of the United States of America and all the territories of His Britannick Majesty in Europe a reciprocal liberty of commerce. The inhabitants of the two countries, respectively, shall have liberty freely and securely to come with their ships and cargoes to all such places, ports, and rivers in the territories aforesaid to which other foreigners are permitted to come, to enter into the same, and to remain and reside in any parts of the said territories, respectively; also to hire and occupy houses and warehouses for the purposes of their commerce; and, generally, the merchants and traders of each nation, respectively, shall enjoy the most complete protection and security for their commerce, but subject always to laws and statutes of the two countries, respectively.

Art. II, 8 Stat. L., 228; 1 Malloy, 625:

* * * No higher or other duties or charges shall be imposed in any of the ports of the United States on British vessels than those payable in the same ports by vessels of the United States, nor in the ports of any of His Britannick Majesty's territories in Europe on the vessels of the United States than shall be payable in the same ports on British vessels.

The same duties shall be paid on the importation into the United States of any articles the growth, produce, or manufacture of His Britannick Majesty's territories in Europe, whether such importation shall be in vessels of the United States or in British vessels, and the same duties shall be paid on the importation into the ports of any of His Britannick Majesty's territories in Europe of any article the growth, produce, or manufacture of the United States, whether such importation shall be in British vessels or in vessels of the United States.

The same duties shall be paid and the same bounties allowed on the exportation of any articles the growth, produce, or manufacture of His Britannick Majesty's territories in Europe to the United States, whether such exportation shall be in vessels of the United States or in British vessels; and the same duties shall be paid and the same bounties allowed on the exportation of any articles the growth, produce, or manufacture of the United States to His Britannick Majesty's territories in Europe, whether such exportation shall be in British vessels or in vessels of the United States.

It is further agreed that in all cases where drawbacks are or may be allowed upon the reexportation of any goods the growth, produce, or manufacture of either country, respectively, the amount of the said drawbacks shall be the same, whether the said goods shall have been originally imported in a British or an American vessel; but when such reexportation shall take place from the United States in a British vessel or from the territories of His Britannick Majesty in Europe in an American vessel to any other foreign nation the two contracting parties reserve to themselves, respectively, the right of regulating or diminishing in such case the amount of the said drawback.

The intercourse between the United States and His Britannick Majesty's possessions in the West Indies and on the continent of North America shall not be affected by any of the provisions of this article, but each party shall remain in the complete possession of its rights with respect to such an intercourse.

Art. V, 8 Stat. L., 230; 1 Malloy, 627:

This convention, when the same shall have been duly ratified by the President of the United States, by and with the advice and consent of their Senate, and by His Britannick Majesty, and the respective ratifications mutually exchanged, shall be binding and obligatory on the said United States and His Majesty for four years from the date of its signature; and the ratifications shall be exchanged in six months from this time or sooner, if possible.

The treaty of July 3, 1815, was continued for 10 years by the fourth article of the convention of October 20, 1818, and indefinitely extended by the convention of August 6, 1827.

COMMERCE CONVENTION, CONCLUDED AUGUST 6, 1827.

Art. I, 8 Stat. L., 361; 1 Malloy, 645:

All the Provisions of the Convention concluded between the United States of American and His Majesty the King of the United Kingdom of Great Britain and Ireland, on the third of July, 1815, and further continued for the term of ten years by the fourth Article of the Convention of the Twentieth of October, 1818, with the exception therein contained, as to St. Helena, are hereby further indefinitely, and without the said exception, extended and continued in force, from the date of the expiration of the said ten years, in the same manner as if all the Provisions of the said Convention of the Third of July, 1815, were herein specifically recited.

Art. II, 8 Stat. L., 361; 1 Malloy, 645:

It shall be competent, however, to either of the Contracting Parties, in case either should think fit, at any time after the expiration of the said ten years—that is, after the Twentieth of October, 1828—on giving due notice of twelve months to the other Contracting Party, to annul and abrogate this Convention—and it shall, in such case, be accordingly entirely annulled and abrogated, after the expiration of the said term of notice.

According to Article II quoted, notice of abrogation should be given 12 months in advance of desired termination. No action has been taken looking to abrogation.

TREATY TO FACILITATE THE CONSTRUCTION OF A SHIP CANAL, CONCLUDED NOVEMBER 18, 1901.

Art. III, par. 1, 1 Malloy, 783; 32 Stat. L., part 2, p. 1904:

1. The canal shall be free and open to the vessels of commerce and of war of all nations observing these Rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic, or otherwise. Such conditions and charges of traffic shall be just and equitable.

The treaty from which the above-quoted article is taken contains no provision for abrogation; hence, agreement by the parties thereto would seem to be necessary effectively to accomplish its abrogation as an international agreement.

No action has been taken by either Government looking to abrogation.

GREECE.

TREATY OF COMMERCE AND NAVIGATION, CONCLUDED DECEMBER 22, 1837.

Art. II, 8 Stat. L., 500; 1 Malloy, 849:

Greek vessels arriving, either laden or in ballast, into the ports of the United States of America, from whatever place they may come, shall be treated on

their entrance, during their stay, and at their departure upon the same footing as national vessels coming from the same place, with respect to the duties of tonnage, lighthouses, pilotage, and port charges, as well as to the perquisites of public officers and all other duties or charges of whatever kind or denomination levied in the name or to the profit of the Government, the local authorities, or of any private establishment whatsoever; and, reciprocally, the vessels of the United States of America arriving, either laden or in ballast, into the ports of the Kingdom of Greece, from whatever place they may come, shall be treated on their entrance, during their stay, and at their departure upon the same footing as national vessels coming from the same place, with respect to the duties of tonnage, lighthouses, pilotage, and port charges, as well as to the perquisites of public officers and all other duties or charges of whatever kind or denomination levied in the name or to the profit of the Government, the local authorities, or of any private establishments whatsoever.

. Art. III, 8 Stat. L., 500; 1 Malloy, 849:

All that may be lawfully imported into the United States of America in vessels of the said States may also be thereinto imported in Greek vessels, from whatever place they may come, without paying other or higher duties or charges of whatever kind or denomination levied in the name or to the profit of the Government, the local authorities, or of any private establishments whatsoever, than if imported in national vessels.

And, reciprocally, all that may be lawfully imported into the Kingdom of Greece in Greek vessels may also be thereinto imported in vessels of the United States of America, from whatever place they may come, without paying other or higher duties or charges of whatever kind or denomination levied in the name or to the profit of the Government, the local authorities, or of any private establishments whatsoever, than if imported in national vessels.

Art. IV, 8 Stat. L., 500; 1 Malloy, 849:

All that may be lawfully exported from the United States of America in vessels of the said States may also be exported therefrom in Greek vessels, without paying other or higher duties or charges of whatever kind or denomination levied in the name or to the profit of the Government, the local authorities, or of any private establishments whatsoever, than if exported in national vessels.

And, reciprocally, all that may be lawfully exported from the Kingdom of Greece in Greek vessels may also be exported therefrom in vessels of the United States, without paying other or higher duties or charges of whatever kind or denomination levied in the name or to the profit of the Government, the local authorities, or of any private establishments whatsoever, than if exported in national vessels.

Art. V, 8 Stat. L., 501; 1 Malloy, 850:

It is expressly understood that the foregoing second, third, and fourth articles are not applicable to the coastwise navigation from one port of the United States of America to another port of the said States, nor to the navigation from one port of the Kingdom of Greece to another port of the said Kingdom, which navigation each of the two high contracting parties reserves to itself.

Art. VI, 8 Stat. L., 501; 1 Malloy, 850:

Each of the two high contracting parties engages not to grant in its purchases, or in those which might be made by companies or agents acting in its name or under its authority, any preference to importations made in its own vessels, or in those of a third Power, over those made in the vessels of the other contracting party.

Art. VII, 8 Stat. L., 502; 1 Malloy, 850:

The two high contracting parties engage not to impose upon the navigation between their respective territories, in the vessels of either, any tonnage or other duties of any kind or denomination which shall be higher or other than those which shall be imposed on every other navigation, except that which they have reserved for themselves, respectively, by the fifth article of the present treaty.

Art. IX, 8 Stat. L., 502; 1 Malloy, 850:

All privileges of transit, and all bounties and drawbacks which may be allowed within the territories of one of the high contracting parties, upon the

importation or exportation of any article whatsoever, shall likewise be allowed on the articles of like nature, the products of the soil or industry of the other contracting party, and on the importations and exportations made in its vessels.

Art. X, 8 Stat. L., 502; 1 Malloy, 851:

The citizens or subjects of one of the high contracting parties, arriving with their vessels on the coasts belonging to the other, but not wishing to enter the port; or, after having entered therein, not wishing to unload any part of their cargo, shall be at liberty to depart and continue their voyage without paying any other duties, imposts, or charges whatsoever, for the vessel and cargo, than those of pilotage, wharfage, and for the support of lighthouses, when such duties shall be levied on national vessels in similar cases. It is understood, however, that they shall always conform to such regulations and ordinances concerning navigation and the places and ports which they may enter, as are, or shall be, in force with regard to national vessels, and that the customhouse officers shall be permitted to visit them, to remain on board, and to take all such precautions as may be necessary to prevent all unlawful commerce, as long as the vessels shall remain within the limits of their jurisdiction.

Art. XI, 8 Stat. L., 503; 1 Malloy, 851:

It is further agreed that the vessels of one of the high contracting parties, having entered into the ports of the other, will be permitted to confine themselves to unloading such part only of their cargoes as the captain or owner may wish, and that they may freely depart with the remainder without paying any duties, imposts, or charges whatsoever, except for that part which shall have been landed, and which shall be marked upon and erased from the manifest exhibiting the enumeration of the articles with which the vessel was laden, which manifest shall be presented entire at the customhouse of the place where the vessel shall have entered. Nothing shall be paid on that part of the cargo which the vessel shall carry away, and with which it may continue its voyage to one or several other ports of the same country, there to dispose of the remainder of its cargo, if composed of articles whose importation is permitted on paying the duties chargeable upon it, or it may proceed to any other country. It is understood, however, that all duties, imposts, or charges whatsoever which are or may become chargeable upon the vessels themselves must be paid at the first port where they shall break bulk or unlade part of their cargoes; but that no duties, imposts, or charges of the same description shall be determined anew in the ports of the same country which such vessels might afterwards wish to enter, unless national vessels be in similar cases subject to some ulterior duties.

Art. XVII, 8 Stat. L., 504; 1 Malloy, 853:

The present treaty shall continue in force for ten years, counting from the day of the exchange of the ratifications, and if before the expiration of the first nine years neither of the high contracting parties shall have announced by an official notification to the other its intention to arrest the operation of said treaty, it shall remain binding for one year beyond that time, and so on, until the expiration of the twelve months which will follow a similar notification, whatever the time at which it may take place.

According to Article XVII quoted, notice of abrogation should be given 12 months in advance of desired termination. No action has been taken looking to abrogation.

HONDURAS.

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION CONCLUDED JULY 4, 1864.

Art. V, 13 Stat. L., 702; 1 Malloy, 954:

No higher nor other duties or payments on account of tonnage, of light or harbor dues, of pilotage, of salvage, in case either of damage or shipwreck, or on account of any other local charges, shall be imposed in any of the ports of the Republic of Honduras on vessels of the United States than those pay-

able in the same ports by vessels of Honduras, nor in any of the ports of the United States on vessels of Honduras than shall be payable in the same ports on vessels of the United States.

Art. VI, 13 Stat. L., 702; 1 Malloy, 954:

The same duties shall be paid on the importation into the territories of the Republic of Honduras of any article being of the growth, produce, or manufacture of the territories of the United States, whether such importation shall be made in vessels of Honduras or of the United States; and the same duties shall be paid on the importation into the territories of the United States of any article being the growth, produce, or manufacture of the Republic of Honduras, whether such importation shall be made in United States or in Honduras vessels.

The same dues shall be paid, and the same bounties and drawbacks allowed, on the exportation to the Republic of Honduras of any articles being the growth, produce, or manufacture of the territories of the United States, whether such exportations shall be made in vessels of Honduras or of the United States; and the same duties shall be paid, and the same bounties and drawbacks allowed on the exportation of any articles being the growth, produce, or manufacture of the Republic of Honduras to the territories of the United States, whether such exportation shall be made in United States or in Honduras vessels.

Art. VII, 13 Stat. L., 703; 1 Malloy, 954:

All merchants, commanders of ships, and others, citizens of the United States, shall have full liberty, in all the territories of the Republic of Honduras, to manage their own affairs themselves or to commit them to the management of whomsoever they please, as broker, factor, agent, or interpreter; nor shall they be obliged to employ any other persons in those capacities than those employed by citizens of Honduras, nor to pay them any other salary or remuneration than such as is paid in like cases by citizens of Honduras; and absolute freedom, in all cases, shall be allowed to the buyer and seller to bargain and fix the price of any goods, wares, or merchandise imported into or exported from the Republic of Honduras as they shall see good, observing the laws and established customs of the country.

The same privileges shall be enjoyed in the territories of the United States by the citizens of the Republic of Honduras under the same conditions. * * *

Art. VIII, 13 Stat. L., 703; 1 Malloy, 955:

In whatever relates to the police of the ports, the lading and unlading of ships, the safety of the merchandise, goods, and effects, the succession to personal estates by will or otherwise, and the disposal of personal property of every sort and denomination, by sale, donation, exchange, testament, or in any other manner whatsoever, as also the administration of justice, the citizens of the two high contracting parties shall reciprocally enjoy the same privileges, liberties, and rights as native citizens, and they shall not be charged in any of these respects with any higher imposts or duties than those which are paid or may be paid by native citizens; submitting, of course, to the local laws and regulations of each country, respectively. * * *

Art. XIII, 13 Stat. L., 705; 1 Malloy, 956:

In order that the two high contracting parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective citizens, it is agreed that, at any time after the expiration of seven years from the date of exchange of the ratifications of the present treaty, either of the high contracting parties shall have the right of giving to the other party notice of its intention to terminate Articles IV, V, and VI of the present treaty, and that at the expiration of twelve months after such notice shall have been received by either party from the other, the said articles, and all the stipulations contained therein, shall cease to be binding on the two high contracting parties.

No provision is made in the treaty for the abrogation, except as to Articles IV, V, and VI, as to which notice of 12 months is required in advance of termination. Otherwise agreement would seem to be

necessary effectively to accomplish abrogation as an international agreement. No action has been taken by either Government to that end.

ITALY.

TREATY OF COMMERCE AND NAVIGATION CONCLUDED FEBRUARY 26, 1871.

Art. I, 17 Stat. L., 845; 1 Malloy, 970:

There shall be between the territories of the high contracting parties a reciprocal liberty of commerce and navigation.

Italian citizens in the United States and citizens of the United States in Italy shall mutually have liberty to enter with their ships and cargoes all the ports of the United States and of Italy, respectively, which may be open to foreign commerce. They shall also have liberty to sojourn and reside in all parts whatever of said territories. They shall enjoy, respectively, within the States and possessions of each party, the same rights, privileges, favors, immunities, and exemptions for their commerce and navigation as the natives of the country wherein they reside, without paying other or higher duties or charges than are paid by the natives, on condition of their submitting to the laws and ordinances there prevailing.

War vessels of the two Powers shall receive in their respective ports the treatment of those of the most-favored nation.

Art. II, 17 Stat. L., 846; 1 Malloy, 970:

The citizens of each of the high contracting parties shall have liberty to travel in the States and Territories of the other, to carry on trade, wholesale and retail, to hire and occupy houses and warehouses, to employ agents of their choice, and generally to do anything incident to or necessary for trade, upon the same terms as the natives of the country, submitting themselves to the laws there established.

Art. III, 17 Stat. L., 846; 1 Malloy, 970, as amended by treaty signed at Washington, February 25, 1913; Art. I, 38 Stat. L., Part II, p. 1670:

The citizens of each of the High Contracting Parties shall receive in the States and Territories of the other the most constant security and protection for their persons and property and for their rights, including that form of protection granted by any State or national law which establishes a civil responsibility for injuries or for death caused by negligence or fault and gives to relatives or heirs of the injured party a right of action, which right shall not be restricted on account of the nationality of said relatives or heirs; and shall enjoy in this respect the same rights and privileges as are or shall be granted to nationals, provided that they submit themselves to the conditions imposed on the latter.

Art. V, 17 Stat. L., 847; 1 Malloy, 971:

The high contracting parties agree that whatever kind of produce, manufactures, or merchandise of any foreign country can be from time to time lawfully imported into the United States, in their own vessels, may be also imported in Italian vessels; that no other or higher duties upon the tonnage of the vessel or her cargo shall be levied and collected, whether the importation be made in vessels of the one country or of the other; and, in like manner, that whatsoever kind of produce, manufactures, or merchandise of any foreign country can be from time to time lawfully imported into Italy in its own vessels, may be also imported in vessels of the United States, and that no higher or other duties upon the tonnage of the vessel or her cargo shall be levied and collected, whether the importation be made in vessels of the one country or of the other; and they further agree that whatever may be lawfully exported and reexported from the one country in its own vessels to any foreign country, may in the like manner be exported or reexported in the vessels of the other country, and the same bounties, duties, and drawbacks shall be allowed and collected, whether such exportation or reexportation be made in vessels of the United States or of Italy.

Art. VII, 17 Stat. L., 848; 1 Malloy, 971:

Vessels of the United States arriving at a port of Italy and, reciprocally, vessels of Italy arriving at a port of the United States may proceed to any other

port of the same country, and may there discharge such part of their original cargoes as may not have been discharged at the port where they first arrived. It is, however, understood and agreed that nothing contained in this article shall apply to the coastwise navigation, which each of the two contracting parties reserves exclusively to itself.

Art. VIII, 17 Stat. L., 848; 1 Malloy, 972:

The following shall be exempt from paying tonnage, anchorage, and clearance duties in the respective ports:

1st. Vessels entering in ballast and leaving again in ballast, from whatever port they may come.

2. Vessels passing from a port of either of the two States into one or more ports of the same State therein to discharge a part or all of their cargo, or take in or complete their cargo, whenever they shall furnish proof of having already paid the aforesaid duties.

3. Loaded vessels entering a port either voluntarily or forced from stress of weather, and leaving it without having disposed of the whole or part of their cargoes, or having therein completed their cargoes.

No vessel of the one country, which may be compelled to enter a port of the other, shall be regarded as engaging in trade if it merely breaks bulk for repairs, transfers her cargo to another vessel on account of unseaworthiness, purchases stores, or sells damaged goods for reexportation. It is, however, understood that all portions of such damaged goods destined to be sold for internal consumption shall be liable to the payment of custom duties.

Art. IX, 17 Stat. L., 849; 1 Malloy, 972:

When any vessel belonging to the citizens of either of the contracting parties shall be wrecked, foundered, or shall suffer any damage on the coasts or within the dominions of the other, there shall be given to it all assistance and protection in the same manner which is usual and customary with the vessels of the nation where the damage happens, permitting them to unload the said vessel, if necessary, of its merchandise and effects, and to reload the same, or part thereof, paying no duties whatsoever but such as shall be due upon the articles left for consumption.

Art. X, 17 Stat. L., 850; 1 Malloy, 972:

Vessels of either of the contracting parties shall have liberty within the territories and dominions of the other to complete their crew in order to continue their voyage, with sailors articleed in the country, provided they submit to the local regulations and their enrollment be voluntary.

Art. XI, 17 Stat. L., 850; 1 Malloy, 972:

All ships, merchandise, and effects belonging to the citizens of one of the contracting parties, which may be captured by pirates, whether within the limits of its jurisdiction or on the high seas, and may be carried or found in the rivers, roads, bays, ports, or dominions of the other, shall be delivered up to the owners, they proving, in due and proper form, their rights before the competent tribunals; it being well understood that the claim should be made within the term of one year, by the parties themselves, their attorneys, or agents of the respective Governments.

Art. XXV, 17 Stat. L., 857; 1 Malloy, 976:

The present treaty shall continue in force for five (5) years from the day of the exchange of the ratifications; and if, twelve (12) months before the expiration of that period, neither of the high contracting parties shall have announced to the other by an official notification its intention to terminate the said treaty, it shall remain obligatory on both parties one (1) year beyond that time, and so on until the expiration of the twelve (12) months which will follow a similar notification, whatever may be the time when such notification shall be given.

According to Article XXV, quoted, notice of abrogation should be given 12 months in advance of desired termination. No action has been taken looking to abrogation.

JAPAN.

TREATY OF COMMERCE AND NAVIGATION, SIGNED AT WASHINGTON FEBRUARY 21, 1911.

Art. I, 37 Stat. L., part 2, 1504; Charles, 77:

The citizens or subjects of each of the High Contracting Parties shall have liberty to enter, travel, and reside in the territories of the other to carry on trade, wholesale and retail, to own or lease and occupy houses, manufactories, warehouses, and shops, to employ agents of their choice, to lease land for residential and commercial purposes, and generally to do anything incident to or necessary for trade upon the same terms as native citizens or subjects, submitting themselves to the laws and regulations there established.

They shall not be compelled, under any pretext whatever, to pay any charges or taxes other or higher than those that are or may be paid by native citizens or subjects.

The citizens or subjects of each of the High Contracting Parties shall receive in the territories of the other the most constant protection and security for their persons and property, and shall enjoy in this respect the same rights and privileges as are or may be granted to native citizens or subjects on their submitting themselves to the conditions imposed upon the native citizens or subjects.

They shall, however, be exempt in the territories of the other from compulsory military service, either on land or sea, in the regular forces or in the national guard or in the militia; from all contributions imposed in lieu of personal service, and from all forced loans or military exactions or contributions.

Art. VIII, 37 Stat. L., part 2, 1506; Charles, 79:

All articles which are or may be legally imported into the ports of either High Contracting Party from foreign countries in national vessels may likewise be imported into those ports in vessels of the other Contracting Party without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in national vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other foreign place.

In the same manner there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid and the same bounties and drawbacks allowed in the territories of each of the Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in vessels of the United States or in Japanese vessels, and whatever may be the place of destination, whether a port of the other Party or of any third Power.

Art. IX, 37 Stat. L., part 2, 1506; Charles, 80:

In all that regards the stationing, loading, and unloading of vessels in the ports of the territories of the High Contracting Parties, no privileges shall be granted by either Party to national vessels which are not equally, in like cases, granted to the vessels of the other country; the intention of the Contracting Parties being that in these respects the respective vessels shall be treated on the footing of perfect equality.

Art. XI, 37 Stat. L., part 2, 1507; Charles, 80:

No duties of tonnage, harbor, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever denomination, levied in the name or for the profit of Government, public functionaries, private individuals, corporations, or establishments of any kind shall be imposed in the ports of the territories of either country upon the vessels of the other which shall not equally, under the same conditions, be imposed on national vessels in general or on vessels of the most favored nation. Such equality of treatment shall apply reciprocally to the respective vessels from whatever place they may arrive and whatever may be their place of destination.

Art. XIII, 37 Stat. L., part 2, 1507; Charles, 80:

The coasting trade of the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws of

the United States and Japan, respectively. It is, however, understood that the citizens or subjects of either Contracting Party shall enjoy in this respect most-favored-nation treatment in the territories of the other.

A vessel of one of the Contracting Parties laden in a foreign country with cargo destined for two or more ports of entry in the territories of the other may discharge a portion of her cargo at one of the said ports and, continuing her voyage to the other port or ports of destination, there discharge the remainder of her cargo, subject always to the laws, tariffs, and customs regulations of the country of destination; and in like manner and under the same reservation the vessels of one of the Contracting Parties shall be permitted to load at several ports of the other for the same outward voyage.

Art. XVII, 37 Stat. L., part 2, 1508; Charles, 81:

The present Treaty shall enter into operation on the 17th of July, 1911, and shall remain in force twelve years or until the expiration of six months from the date on which either of the Contracting Parties shall have given notice to the other of its intention to terminate the Treaty.

In case neither of the Contracting Parties shall have given notice to the other six months before the expiration of the said period of twelve years of its intention to terminate the Treaty, it shall continue operative until the expiration of six months from the date on which either Party shall have given such notice.

According to Article XVII quoted, notice of abrogation should be given six months in advance of desired termination. No action has been taken looking to abrogation.

LIBERIA.

TREATY OF COMMERCE AND NAVIGATION CONCLUDED OCTOBER 21, 1862.

Art. III, 12 Stat. L., 1245; 1 Malloy, 1051:

No tonnage, import, or other duties or charges shall be levied in the Republic of Liberia, on United States vessels, or on goods imported or exported in United States vessels beyond what are or may be levied on national vessels or on the like goods imported or exported in national vessels; and in like manner no tonnage, import, or other duties or charges shall be levied in the United States of America and their territories on the vessels of the Republic of Liberia, or on goods imported or exported in those vessels, beyond what are or may be levied on national vessels or on the like goods imported or exported in national vessels.

Art. IV, 12 Stat. L., 1245; 1 Malloy, 1051:

Merchandise or goods coming from the United States of America in any vessels or imported in United States vessels from any country shall not be prohibited by the Republic of Liberia, nor be subject to higher duties than are levied on the same kinds of merchandise or goods coming from any other foreign country or imported in any other foreign vessels. All articles the produce of the Republic of Liberia may be exported therefrom by citizens of the United States and United States vessels on as favorable terms as by the citizens and vessels of any other foreign country.

In like manner all merchandise or goods coming from the Republic of Liberia in any vessels or imported in Liberian vessels from any country shall not be prohibited by the United States of America nor be subject to higher duties than are levied on the same kinds of merchandise or goods coming from any other foreign country or imported in any other foreign vessels. All articles the produce of the United States or of their territories may be imported therefrom by Liberian citizens and Liberian vessels on as favorable terms as by the citizens and vessels of any other foreign country.

Art. V, 12 Stat. L., 1245; 1 Malloy, 1051:

When any vessel of either of the contracting parties shall be wrecked, foundered, or otherwise damaged on the coasts or within the territories of the other, the respective citizens shall receive the greatest possible aid, as well for

themselves as for their vessels and effects. All possible aid shall be given to protect their property from being plundered and their persons from ill treatment. Should a dispute arise as to the salvage, it shall be settled by arbitration, to be chosen by the parties respectively.

The treaty from which the above-quoted articles are taken contains no provision for abrogation; hence agreement by the parties thereto would seem to be necessary effectively to accomplish its abrogation as an international agreement.

No action has been taken by either Government looking to abrogation.

MOROCCO.

TREATY OF PEACE AND FRIENDSHIP, CONCLUDED SEPTEMBER 16, 1836.

Art. VII, 8 Stat. L., 485; 1 Malloy, 1213:

If any vessel of either party shall put into a port of the other and have occasion for provisions or other supplies, they shall be furnished without any interruption or molestation.

Art. XV, 8 Stat. L., 486; 1 Malloy, 1215:

Merchants of both countries shall employ only such interpreters and such other persons to assist them in their business as they shall think proper. No commander of a vessel shall transport his cargo on board another vessel; he shall not be detained in port longer than he may think proper; and all persons employed in loading or unloading goods, or in any other labor whatever, shall be paid at the customary rates, not more and not less.

Art. XIX, 8 Stat. L., 486; 1 Malloy, 1215:

No vessel shall be detained in port on any pretence whatever nor be obliged to take on board any article without the consent of the commander, who shall be at full liberty to agree for the freight of any goods he takes on board.

Art. XXV, 8 Stat. L., 487; 1 Malloy, 1216:

This treaty shall continue in force, with the help of God, for fifty years, after the expiration of which term the treaty shall continue to be binding on both parties until the one shall give twelve months' notice to the other of an intention to abandon it, in which case its operations shall cease at the end of the twelve months.

According to Article XXV quoted, notice of abrogation should be given 12 months in advance of desired termination. No action has been taken looking to abrogation.

THE NETHERLANDS.

TREATY OF COMMERCE AND NAVIGATION, CONCLUDED JANUARY 19, 1839.

Art. V, 8 Stat. L., 526; 2 Malloy, 1247:

In case of shipwreck or damage at sea, each party shall grant to the vessels, whether public or private, of the other the same assistance and protection which would be afforded to its own vessels in like cases.

Art. VI, 8 Stat. L., 526; 2 Malloy, 1247:

The present treaty shall be in force for the term of ten years, commencing six weeks after the exchange of the ratifications, and further until the end of twelve months after either of the contracting parties shall have given to the other notice of its intention to terminate the same, each of the contracting parties reserving to itself the right of giving such notice to the other after the expiration of the said term of ten years. And it is hereby mutually agreed that in the case of such notice this treaty and all the provisions thereof shall, at the end of the said twelve months, altogether cease and determine.

In a note dated May 10, 1918, the United States notified the Netherlands Government of the abrogation of this treaty, effective May 10, 1919.

CONVENTION OF COMMERCE AND NAVIGATION, CONCLUDED AUGUST 26, 1862.

Art. I, 10 Stat. L., 982; 2 Malloy, 1248:

Goods and merchandise, whatever their origin may be, imported into or exported from the ports of the United States from and to any other country in vessels of the Netherlands shall pay no higher or other duties than shall be levied on the like goods and merchandise imported or exported in national vessels. Reciprocally, goods and merchandise, whatever their origin may be, imported into or exported from the ports of the Netherlands from and to any other country in vessels of the United States shall pay no higher or other duties than shall be levied on the like goods and merchandise imported or exported in national vessels.

The bounties, drawbacks, and other privileges of this nature, which may be granted in the States of either of the contracting parties on goods imported or exported in national vessels, shall also and in like manner be granted on goods imported or exported in vessels of the other country.

Art. II, 10 Stat. L., 983; 2 Malloy, 1249:

The above reciprocal equality in relation to the flags of the two countries is understood to extend also to the ports of the colonies and dominions of the Netherlands beyond the seas in which goods and merchandise, whatever their origin may be, imported or exported from and to any other country in vessels of the United States, shall pay no higher or other duties than shall be levied on the like goods and merchandise imported or exported from and to the same places in vessels of the Netherlands. The bounties, drawbacks, or other privileges of similar denomination, which may be there granted on goods and merchandise imported or exported in vessels of the Netherlands, shall also and in like manner be granted on goods and merchandise imported or exported in vessels of the United States.

Art. III, 10 Stat. L., 983; 2 Malloy, 1249:

Neither party shall impose upon the vessels of the other, whether carrying cargoes or arriving in ballast from either of the two countries or any other country, any duties of tonnage, harbor dues, lighthouse, salvage, pilotage, quarantine, or port charges of any kind or denomination which shall not be imposed in like cases on national vessels.

Art. V, 10 Stat. L. 983; 2 Malloy, 1250:

The above reciprocal equality in relation to the flags of the two countries is not understood to prevent the Government of the Netherlands from levying discriminating duties of import or export in favor of the direct trade between Holland and her colonies and dominions beyond the seas; but American vessels engaged in such direct commerce shall be entitled to all the privileges and immunities, whether as regards import or export duties, or otherwise, that are or may be enjoyed by vessels under the Dutch flag. Likewise, the United States shall continue to levy the discriminating duties imposed by the present tariff on teas and coffee in favor of the direct importation of these articles from the place of their growth, but also without discriminating between the flags of the two countries. And if at any time the Netherlands or the United States shall abolish the said discriminating duties, it is understood that the same shall be in like manner abolished in relation to the commerce of the other country.

Art. VI, 10 Stat. L. 983; 2 Malloy, 1250:

The present convention shall be considered as additional to the above-mentioned treaty of the 19th of January, 1839, and shall, altogether, with the unmodified articles of that treaty, be in force for the term of two years, commencing six weeks after the exchange of the ratifications; and further, until the end of twelve months after either of the contracting parties shall have given to the other notice of its intention to terminate the same, each of the

contracting parties reserving to itself the right of giving such notice to the other, after the expiration of the said term of two years. And it is hereby mutually agreed that in case of such notice this convention and all the provisions thereof, as well as the said treaty of 19th January, 1839, and the provisions thereof, shall at the end of the said twelve months altogether cease and determine.

According to Article VI quoted, notice of abrogation should be given 12 months in advance of desired termination. No action has been taken looking to abrogation.

NORWAY.

TREATY OF COMMERCE AND NAVIGATION, CONCLUDED JULY 4, 1827.

Art. I, 8 Stat. L., 347; 2 Malloy, 1749:

The citizens and subjects of each of the two high contracting parties may, with all security for their persons, vessels, and cargoes, freely enter the ports, places, and rivers of the territories of the other, wherever foreign commerce is permitted. They shall be at liberty to sojourn and reside in all parts whatsoever of said territories; to rent and occupy houses and warehouses for their commerce; and they shall enjoy, generally, the most entire security and protection in their mercantile transactions, on condition of their submitting to the laws and ordinances of their respective countries.

Art. II, 8 Stat. L., 347; 2 Malloy, 1749:

Swedish and Norwegian vessels, and those of the island of St. Bartholomew, arriving either laden or in ballast, into the ports of the United States of America, from whatever place they may come, shall be treated, on their entrance, during their stay, and at their departure, upon the same footing as national vessels coming from the same place, with respect to the duties of tonnage, lighthouses, pilotage, and port charges, as well as to the perquisites of public officers, and all other duties or charges of whatever kind or denomination, levied in the name or to the profit of the Government, the local authorities, or of any private establishments whatsoever.

And reciprocally, the vessels of the United States of America, arriving either laden or in ballast in the ports of the Kingdoms of Sweden and Norway, from whatever place they may come, shall be treated, on their entrance, during their stay, and at their departure, upon the same footing as national vessels coming from the same place, with respect to the duties of tonnage, lighthouses, pilotage, and port charges, as well as to the perquisites of public officers, and all other duties or charges, of whatever kind or denomination, levied in the name or to the profit of the Government, the local authorities, or of any private establishments whatsoever.

Art. III, 8 Stat. L., 348; 2 Malloy, 1750:

All that may be lawfully imported into the United States of America in vessels of the said States may also be thereinto imported in Swedish and Norwegian vessels, and in those of the island of St. Bartholomew, from whatever place they may come, without paying other or higher duties or charges, of whatever kind or denomination, levied in the name or to the profit of the Government, the local authorities, or of any private establishments whatsoever, than if imported in national vessels.

And, reciprocally, all that may be lawfully imported into the Kingdoms of Sweden and Norway in Swedish and Norwegian vessels, or in those of the island of St. Bartholomew, may also be thereinto imported in vessels of the United States of America, from whatever place they may come, without paying other or higher duties or charges, of whatever kind or denomination, levied in the name or to the profit of the Government, the local authorities, or of any private establishments whatsoever, than if imported in national vessels.

Art. IV, 8 Stat. L., 348; 2 Malloy, 1750:

All that may be lawfully exported from the United States of America in vessels of the said States may also be exported therefrom in Swedish and Norwe-

gian vessels, or in those of the island of St. Bartholomew, without paying other or higher duties or charges, of whatever kind or denomination, levied in the name or to the profit of the Government, the local authorities, or of any private establishments whatsoever, than if exported in national vessels.

And, reciprocally, all that may be lawfully exported from the Kingdoms of Sweden and Norway in Swedish and Norwegian vessels, or in those of the island of St. Bartholomew, may also be exported therefrom in vessels of the United States of America without paying other or higher duties or charges, of whatever kind or denomination, levied in the name or to the profit of the Government, the local authorities, or of any private establishments whatsoever, than if exported in national vessels.

Art. V, 8 Stat. L., 349; 2 Malloy, 1750:

The stipulations contained in the three preceding articles are to their full extent applicable to the vessels of the United States of America, proceeding, either laden or not laden, to the colony of St. Bartholomew, in the West Indies, whether from the ports of the Kingdoms of Sweden and Norway or from any other place whatsoever, or proceeding from the said colony, either laden or not laden, whether bound for Sweden or Norway, or for any other place whatsoever.

Art. VI, 8 Stat. L., 348; 2 Malloy, 1750:

It is expressly understood that the foregoing second, third, and fourth articles are not applicable to the coastwise navigation from one port of the United States of America to another port of the said States, nor to the navigation from one port of the Kingdoms of Sweden or of Norway to another, nor to that between the two latter countries; which navigation each of the two high contracting parties reserves to itself.

Art. VII, 8 Stat. L., 348; 2 Malloy, 1751:

Each of the two high contracting parties engages not to grant in its purchases, or in those which might be made by companies or agents acting in its name or under its authority, any preference to importations made in its own vessels, or in those of a third Power, over those made in the vessels of the other contra(c)ting party.

Art. VIII, 8 Stat. L., 349; 2 Malloy, 1751:

The two high contracting parties engage not to impose upon the navigation between their respective territories, in the vessels of either, any tonnage or other duties, of any kind or denomination, which shall be higher or other than those which shall be imposed on every other navigation except that which they have reserved to themselves, respectively, by the sixth article of the present treaty.

Art. X, 8 Stat. L., 350; 2 Malloy, 1751:

All privileges of transit and all bounties and drawbacks which may be allowed within the territories of one of the high contracting parties upon the importation or exportation of any article whatsoever shall likewise be allowed on the articles of like nature the products of the soil or industry of the other contracting party, and on the importations and exportations made in its vessels.

Art. XI, 8 Stat. L., 350; 2 Malloy, 1751:

The citizens or subjects of one of the high contracting parties arriving with their vessels on the coasts belonging to the other, but not wishing to enter the port, or, after having entered therein, not wishing to unload any part of their cargo, shall be at liberty to depart and continue their voyage without paying any other duties, imposts, or charges whatsoever for the vessel and cargo than those of pilotage, wharfage, and for the support of lighthouses when such duties shall be levied on national vessels in similar cases. It is understood, however, that they shall always conform to such regulations and ordinances concerning navigation and the places and ports which they may enter as are or shall be in force with regard to national vessels; and that the customhouse officers shall be permitted to visit them, to remain on board, and to take all such precautions as may be necessary to prevent all unlawful commerce as long as the vessels shall remain within the limits of their jurisdiction.

Art. XII, 8 Stat. L., 350; 2 Malloy, 1752:

It is further agreed that the vessels of one of the high contracting parties, having entered into the ports of the other, will be permitted to confine themselves to unloading such part only of their cargoes as the captain or owner may wish, and that they may freely depart with the remainder without paying any duties, imposts, or charges whatsoever, except for that part which shall have been landed, and which shall be marked upon and erased from the manifest exhibiting the enumeration of the articles with which the vessel was laden, which manifest shall be presented entire at the customhouse of the place where the vessel shall have entered. Nothing shall be paid on that part of the cargo which the vessel shall carry away, and with which it may continue its voyage to one or several other ports of the same country, there to dispose of the remainder of its cargo, if composed of articles whose importation is permitted, on paying the duties chargeable upon it; or it may proceed to any other country. It is understood, however, that all duties, imposts, or charges whatsoever which are or may become chargeable upon the vessels themselves must be paid at the first port where they shall break bulk or unlade part of their cargoes; but that no duties, imposts, or charges of the same description shall be demanded anew in the ports of the same country which such vessels might afterwards wish to enter, unless national vessels be in similar cases subject to some ulterior duties.

Art. XV, 8 Stat. L., 354; 2 Malloy, 1753:

In case any vessel of one of the high contracting parties shall have been stranded or shipwrecked, or shall have suffered any other damage on the coasts of the dominions of the other, every aid and assistance shall be given to the persons shipwrecked or in danger, and passports shall be granted to them to return to their country. The shipwrecked vessels and merchandise, or other proceeds, if the same shall have been sold, shall be restored to their owners or to those entitled thereto, if claimed within a year and a day, upon paying such costs of salvage as would be paid by national vessels in the same circumstances; and the salvage companies shall not compel the acceptance of their services, except in the same cases and after the same delays, as shall be granted to the captains and crews of national vessels. Moreover, the respective Governments will take care that these companies do not commit any vexatious or arbitrary acts.

Art. XVI, 8 Stat. L., 355; 2 Malloy, 1754:

It is agreed that vessels arriving directly from the United States of America at a port within the dominions of His Majesty the King of Sweden and Norway, or from the territories of his said Majesty in Europe, at a port of the United States, and provided with a bill of health granted by an officer having competent power to that effect, at the ports whence such vessels shall have sailed, setting forth that no malignant or contagious disease prevailed in that port, shall be subjected to no other quarantine than such as may be necessary for the visit of the health officer of the port where such vessels shall have arrived, after which said vessels shall be allowed immediately to enter and unload their cargoes; provided always that there shall be on board no person who during the voyage shall have been attacked with any malignant or contagious diseases; that such vessels shall not during their passage have communicated with any vessel liable itself to undergo a quarantine; and that the country whence they came shall not at that time be so far infected or suspected that before their arrival an ordinance had been issued, in consequence of which all vessels coming from that country should be considered as suspected, and consequently subject to quarantine.

Art. XIX, 8 Stat. L., 357; 2 Malloy, 1755:

The present treaty shall continue in force for ten years, counting from the day of the exchange of the ratifications; and if before the expiration of the first nine years neither of the high contracting parties shall have announced, by an official notification to the other, its intention to arrest the operation of said treaty, it shall remain binding for one year beyond that time, and so on until the expiration of the twelve months which will follow a similar notification, whatever the time at which it may take place.

According to Article XIX quoted, notice of abrogation should be given 12 months in advance of desired termination. No action has been taken looking to abrogation.

PANAMA.

CONVENTION FOR THE CONSTRUCTION OF A SHIP CANAL, CONCLUDED NOVEMBER 18, 1903.

Art. IX, 2 Malloy, 1352; 33 Stat. L., part 2, p. 2237:

The United States agrees that the ports at either entrance of the Canal and the waters thereof, and the Republic of Panama agrees that the towns of Panama and Colon shall be free for all time, so that there shall not be imposed or collected customhouse tolls, tonnage, anchorage, lighthouse, wharf, pilot, or quarantine dues or any other charges or taxes of any kind upon any vessel using or passing through the Canal or belonging to or employed by the United States, directly or indirectly, in connection with the construction, maintenance, operation, sanitation, and protection of the main Canal, or auxiliary works, or upon the cargo, officers, crew, or passengers of any such vessels, except such tolls and charges as may be imposed by the United States for the use of the Canal and other works, and except tolls and charges imposed by the Republic of Panama upon merchandise destined to be introduced for the consumption of the rest of the Republic of Panama, and upon vessels touching at the ports of Colon and Panama and which do not cross the Canal.

The Government of the Republic of Panama shall have the right to establish in such ports and in the towns of Panama and Colon such houses and guards as it may deem necessary to collect duties on importations destined to other portions of Panama and to prevent contraband trade. The United States shall have the right to make use of the towns and harbors of Panama and Colon as places of anchorage, and for making repairs, for loading, unloading, depositing, or transshipping cargoes either in transit or destined for the service of the Canal and for other works pertaining to the Canal.

Art. XIX, 2 Malloy, 1355; 33 Stat. L., part 2, p. 2239:

The Government of the Republic of Panama shall have the right to transport over the Canal its vessels and its troops and munitions of war in such vessels at all times without paying charges of any kind. The exemption is to be extended to the auxiliary railway for the transportation of persons in the service of the Republic of Panama, or of the police force charged with the preservation of public order outside of said zone, as well as to their baggage, munitions of war, and supplies.

The treaty from which the above-quoted articles are taken contains no provision for abrogation; hence, agreement by the parties thereto would seem to be necessary effectively to accomplish its abrogation as an international agreement.

No action has been taken by either Government looking to abrogation.

PARAGUAY.

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION, CONCLUDED FEBRUARY 4, 1859.

Art. V, 12 Stat. L., 1093; 2 Malloy, 1366:

No other or higher duties or charges on account of tonnage, light, or harbor dues, pilotage, salvage in case of damage or shipwreck, or any other local charges shall be imposed in any of the ports of the territories of the Republic of Paraguay on vessels of the United States of America than those payable in the same ports by Paraguayan vessels, nor in the ports of the territories of the United States of America on Paraguayan vessels than shall be payable in the same ports by vessels of the United States of America.

Art. VI, 12 Stat. L., 1094; 2 Malloy, 1366:

The same duties shall be paid upon the importation and exportation of any article which is or may be legally importable or exportable into the dominions of the United States of America and into those of Paraguay, whether such importation or exportation be made in vessels of the United States of America or in Paraguayan vessels.

Art. VIII, 12 Stat. L., 1094; 2 Malloy, 1366:

Citizens of the United States of America shall pay, in the territories of the Republic of Paraguay, the same import and export duties which are established or may be established hereafter for Paraguayan citizens. In the same manner the latter shall pay, in the United States of America, the duties which are established or may hereafter be established for citizens of the United States of America.

Art. IX, 12 Stat. L., 1094; 2 Malloy, 1366:

All merchants, commanders of ships, and others, the citizens of each country, respectively, shall have full liberty, in all the territories of the other, to manage their own affairs themselves or to commit them to the management of whomsoever they please, as agent, broker, factor, or interpreter; and they shall not be obliged to employ any other persons than those employed by natives nor to pay to such persons as they shall think fit to employ any higher salary or remuneration than such as is paid in like cases by natives.

The citizens of the United States of America in the territories of Paraguay, and the citizens of Paraguay in the United States of America, shall enjoy the same full liberty which is now or may hereafter be enjoyed by natives of each country, respectively, to buy from and sell to whom they like all articles of lawful commerce, and to fix the prices thereof as they shall see good, without being affected by any monopoly, contract, or exclusive privilege of sale or purchase, subject, however, to the general ordinary contributions or imposts established by law.

The citizens of either of the two contracting parties in the territories of the other shall enjoy full and perfect protection for their persons and property, and shall have free and open access to courts of justice for the prosecution and defence of their just rights; they shall enjoy, in this respect, the same rights and privileges as native citizens; and they shall be at liberty to employ, in all causes, the advocates, attorneys, or agents, of whatever description, whom they may think proper.

Art. X, 12 Stat. L., 1095; 2 Malloy, 1367:

In whatever relates to the police of the ports, the lading or unlading of ships, the warehousing and safety of merchandise, goods and effects, the succession to personal estates by will or otherwise, and the disposal of personal property of every sort and denomination by sale, donation, exchange, or testament, or in any other manner whatsoever, as also with regard to the administration of justice, the citizens of each contracting party shall enjoy, in the territories of the other, the same privileges, liberties, and rights as native citizens, and shall not be charged, in any of these respects, with any other or higher impost or duties than those which are or may be paid by native citizens, subject always to the local laws and regulations of such territories.

Art. XV, 12 Stat. L., 1098; 2 Malloy, 1369:

The present treaty shall be in force during ten years, counted from the day of the exchange of the ratifications; and, further, until the end of twelve months after the Government of the United States of America on the one part, or the Government of Paraguay on the other, shall have given notice of its intention to terminate the same.

According to Article XV quoted, notice of abrogation should be given 12 months in advance of desired termination. No action has been taken looking to abrogation.

RUSSIA.

DECLARATION CONCERNING THE ADMEASUREMENT OF VESSELS, SIGNED JUNE 6, 1884.

DECLARATION.—The English method for the admeasurement of vessels (the Moorsom system) being now in force not only in the United States of America but also in the Empire of Russia and the Grand Duchy of Finland, the undersigned, having been duly authorized by their Governments, hereby declare.

Art. I, 2 Malloy, 1526; 23 Stat. L., 791:

That American vessels admeasured according to the aforesaid method, shall be admitted into the ports of Russia and Finland, and likewise that Russian and Finnish vessels admeasured according to the same system, shall be admitted into the ports of the United States, without being subjected, for the payment of navigation dues, to any new admeasurement whatever.

These navigation dues shall be computed according to the net tonnage.

A. Russian certificates of admeasurement issued since December 20, 1879/January 1, 1880, and Finnish certificates of admeasurement issued since May 31, 1877, shall be recognized in the United States of America without any formality as regards the net tonnage of sailing or steam vessels.

B. In like manner American certificates of admeasurement shall be recognized in Russia and Finland without any formality as regards the tonnage of American sailing vessels. American certificates of admeasurement, issued since July 24/August 5, 1882, shall be recognized in Russia and Finland without any formality as regards the net tonnage of American steam vessels. As the American admeasurement regulations which were in force previously to that date make no deduction for the space occupied by the machinery and its appurtenances, certificates of admeasurement of American vessels issued before the act of July 24/August 5, 1882, took effect, shall be recognized in Russian and Finnish ports without such vessels being subjected to the readmeasurement, but on condition that the navigation dues shall be computed according to the gross tonnage stated in the certificate of admeasurement. The owners or captains of such vessels shall, nevertheless, if they desire it, have a right to demand a partial readmeasurement according to Russian or Finnish rules, in order thereby to secure a reduction of such dues.

C. Inasmuch as the Russian and Finnish regulations are not entirely in conformity with those of the United States of America, in respect to the admeasurement of steam vessels, commanders of Russian or Finnish vessels in American ports, and vice versa, shall have the right to demand the partial readmeasurement of the space occupied by the machinery, boilers, etc., according to the system in force in the port in which they are. The other figures of the certificate of admeasurement shall be taken as the basis of such readmeasurement.

D. This readmeasurement, executed in accordance with paragraphs B and C of this article, shall be performed at a rate to be established for this purpose by the local authorities.

Art. II, 2 Malloy, 1527; 23 Stat. L., 791:

The above provisions shall likewise be applicable to vessels propelled by any other mechanical motor.

This declaration shall take effect on the 20th day of July/1st day of August, 1884, and shall remain in force until one of the contracting parties shall have made known to the other six months in advance its intention to cause its effects to cease.

According to Article II quoted, notice of abrogation should be given six months in advance of desired termination. No action has been taken looking to abrogation.

SERBIA.

CONVENTION OF COMMERCE AND NAVIGATION, CONCLUDED OCTOBER 14, 1881.

Art. I, 22 Stat. L., 963; 2 Malloy, 1613:

There shall be reciprocally full and entire liberty of commerce and navigation between the citizens and subjects of the two high contracting powers, who shall be at liberty to establish themselves freely in each other's territory.

Citizens of the United States in Serbia and Serbian subjects in the United States shall, reciprocally or conforming to the laws of the country, be at liberty freely to enter, travel, or reside in any part of the respective territories to carry on their business, and shall enjoy in this respect for their persons and property the same protection as that enjoyed by natives or by the subjects of the most-favored nation.

They shall be at liberty to exercise their industry and trade, both by wholesale and by retail, in the whole extent of both territories, without being subjected as to their persons or property, or with regard to the exercise of their trade or business, to any taxes, whether general or local, or to any imposts or conditions of any kind other or more onerous than those which are or may be imposed upon natives or upon the subjects of the most-favored nation.

In like manner in all that relates to local taxes, customs, formalities, brokerage, patterns, or samples introduced by commercial travelers, and all other matters connected with trade, citizens of the United States in Serbia and Serbian subjects in the United States shall enjoy the treatment of the most-favored nation, and all the rights, privileges, exemptions, and immunities of any kind enjoyed with respect to commerce and industry by the citizens or subjects of the high contracting parties, or which are or may be hereafter conceded to the subjects of any third power, shall be extended to the citizens or subjects of the other.

Art. XIV, 22 Stat. L., 966; 2 Malloy, 1617:

The present treaty shall remain in force for ten years from the day of the exchange of ratifications, and if twelve months before the expiration of that period, neither of the high contracting parties shall have announced to the other its intention to terminate the said treaty, it shall remain obligatory until the expiration of one year from the day when either of the high contracting parties shall have denounced it.

According to Article XIV quoted, notice of abrogation should be given 12 months in advance of desired termination. No action has been taken looking to abrogation.

SPAIN.

TREATY OF FRIENDSHIP AND GENERAL RELATIONS, CONCLUDED JULY 3, 1902.

Art. II, 33 Stat. L., part 2, 2106; 2 Malloy, 1701:

There shall be a full, entire, and reciprocal liberty of commerce and navigation between the citizens and subjects of the two High Contracting Parties, who shall have reciprocally the right, on conforming to the laws of the country, to enter, travel, and reside in all parts of their respective territories, saving always the right of expulsion which each Government reserves to itself, and they shall enjoy in this respect, for the protection of their persons and their property, the same treatment and the same rights as the citizens or subjects of the most favored Nation.

They can freely exercise their industry or their business as well, wholesale as retail, without being subjected as to their persons or their property to any taxes, general or local, imposts or conditions whatsoever, other or more onerous than those which are imposed or may be imposed upon the citizens or subjects of the country or the citizens or subjects of the most favored Nation.

It is, however, understood that these provisions are not intended to annul or prevent or constitute any exception from the laws, ordinances, and special regulations respecting taxation, commerce, health, police, and public security, in force or hereafter made in the respective countries and applying to foreigners in general.

Art. VII, 33 Stat. L., part 2, 2109; 2 Malloy, 1703:

No higher or other duties of tonnage, pilotage, loading, unloading, lighthouse, quarantine, or other similar or corresponding duties whatsoever, levied in the name or for the profit of the Government, public functionaries, private individuals, corporations, or establishments of any kind shall be imposed in the ports of the territories of either country than those imposed in the like cases on national vessels in general or vessels of the most favored Nation. Such

equality of treatment shall apply reciprocally to the respective vessels from whatever port or place they may arrive and whatever may be their place of destination, except as hereinafter provided in Article IX of this Convention.

Art. VIII, 33 Stat. L., part 2, 2109; 2 Malloy, 1703:

All the articles which are or may be legally imported from foreign countries into ports of the United States, in United States vessels, may likewise be imported into those ports in Spanish vessels, without being liable to any other or higher duties or charges whatsoever than if such articles were imported in United States vessels; and, reciprocally, all articles which are or may be legally imported from foreign countries into the ports of Spain in Spanish vessels may likewise be imported into these ports in United States vessels without being liable to any other or higher duties or charges whatsoever than if such were imported from foreign countries in Spanish vessels.

In the same manner there shall be perfect equality of treatment in regard to exportation to foreign countries, so that the same export duties shall be paid and the same bounties and drawbacks allowed in the territories of either of the High Contracting Parties on the exportation to foreign countries of any article which is or may be legally exported from the said territories, whether such exportation shall take place in United States or in Spanish vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power.

It is, however, understood that neither this article nor any other of the articles of the present Convention shall in any way affect the special treaty stipulations which exist or may hereafter exist with regard to the commercial relations between Spain and the Philippine Islands.

Art. IX, 33 Stat. L., part 2, 2110; 2 Malloy, 1704:

The coasting trade of both the High Contracting Parties is expected from the provisions of the present Treaty, and shall be regulated according to the Laws, Ordinances, and Regulations of the United States and Spain, respectively.

Vessels of either country shall be permitted to discharge part of their cargoes at any port open to foreign commerce in the territory of either of the High Contracting Parties, and to proceed with the remainder of their cargo to any other port or ports of the same territory, open to foreign commerce, without paying other or higher tonnage dues or port charges in such cases than would be paid by national vessels in like circumstances, and they shall be permitted to load in like manner at different ports in the same voyage outward.

Art. X, 33 Stat. L., part 2, 2110; 2 Malloy, 1704:

In cases of shipwreck, damages at sea, or forced putting in, each party shall afford to the vessels of the other, whether belonging to the States or to individuals, the same assistance and protection and the same immunities which would have been granted to its own vessels in similar cases.

Art. XXX, 33 Stat. L., part 2, 2120; 2 Malloy, 1710:

The present Treaty of Friendship and General Relations shall remain in full force and vigor for the term of ten years from the day of the exchange of ratifications. Notwithstanding the foregoing, if neither Party notifies to the other its intention of reforming any of, or all, the articles of this Treaty, or of terminating it twelve months before the expiration of the ten years stipulated above, the said Treaty shall continue binding on both Parties beyond the said ten years, until twelve months from the time that one of the Parties notifies its intention of proceeding to its reform or of terminating it.

As previously stated in this memorandum, this Government denounced the treaty of July 3, 1902, between the United States and Spain in its entirety, but the department is giving favorable consideration to the request of the Spanish Government for the withdrawal of this notice, except as to Articles XXIII and XXIV of the treaty.

TRIPOLI.

TREATY OF PEACE AND AMITY, CONCLUDED JUNE 4, 1805.

Art. VIII, 2 Malloy, 1790; 8 Stat. L., 215:

Vessels of either party, putting into the ports of the other and having need of provisions or other supplies, they shall be furnished at the market price, and if any such vessel should so put in, from a disaster at sea, and have occasion to repair, she shall be at liberty to land and reembark her cargo without paying any duties, but in no case shall she be compelled to land her cargo.

The treaty from which the above-quoted article is taken contains no provision for abrogation; hence, agreement by the parties thereto would seem to be necessary effectively to accomplish its abrogation as an international agreement.

No action has been taken by either Government looking to abrogation.

No reference has been made in this memorandum to treaties between the United States and countries with which the United States is at war, as they are at present inoperative.



VOCATIONAL AGRICULTURAL SCHOOL

LETTER

FROM

MR. L. A. DEAN, PRESIDENT OF THE BOARD OF
EDUCATION OF FLOYD COUNTY, GA., TO SEN-
ATOR HOKE SMITH, OF GEORGIA, SUBMITTING
CERTAIN SUGGESTIONS WITH REFERENCE TO
THE APPLICATION OF EDUCATIONAL TRAINING
IN AMERICA TO THE RURAL SCHOOLS



PRESENTED BY MR. SMITH, OF GEORGIA

MAY 23, 1919.—Ordered to be printed

WASHINGTON
GOVERNMENT PRINTING OFFICE

1919

**LETTER FROM MR. L. A. DEAN, PRESIDENT OF THE BOARD OF
EDUCATION OF FLOYD COUNTY, GA., REGARDING VOCATIONAL
AGRICULTURAL SCHOOL.**

ROME, GA., *May 3, 1919.*

DEAR SENATOR: Complying with your request, I here express in more detail the plan outlined to you on Wednesday last for a vocational agricultural school.

Such a school should be a consolidated school sufficiently large to authorize the employment of a principal or superintendent, who is possessed of initiative and executive ability, with personal magnetism and leadership. Also large enough to secure from the student body two to five hundred students above the age of 14 and within the maximum school age (18 years is the maximum age in the State of Georgia). To obtain such a school, a large district should be laid off and organized, the area depending very much upon the thickness of the population.

The land owners in the district should be called upon to convey to the school a fee-simple title to at least 2 or 3 per cent of their lands, to be selected with a view to adaptability to agricultural purposes, without, of course, working serious injury to the lands of the owner. These lands to be worked by the students of the school over 14 years of age, under the direction and supervision of the school management, its agricultural teachers, and the county demonstration agent.

The products raised should at all times be marketed under school authority, or by some selling agency subject to such authority.

The parents and guardians of the students should release all control over the earnings of the children from these lands.

The students should be required as a part of their duty and practice, under school supervision, to keep accurate accounts of all expenses incident to the production of crops, as well as the marketing and handling of the products. They should be required to deposit their money in bank, subject to their checks, under the advice and perhaps the approval of the school authorities, the purpose being to teach accounting and accurate business methods and to encourage economy.

The school grounds should be conveniently located for transporting the children over the best roads in the district. There should be land enough for commodious buildings (not expensive), including recitation rooms, laboratory, auditorium, teachers' houses, gymnasium, play and drill grounds, and land for experimental work, such as raising plants for transplanting, and all other things that may be advantageous to grow and experiment with at the school for the use and benefit of the students. These grounds should be properly laid out with walks and drives; shade trees and shrubbery should be planted to make an attractive and beautiful place.

Teachers' houses should have connected therewith a tract of land containing 1 or more acres, this to be cultivated by the teacher, the

products to be marketed with the products of the students, the proceeds to be supplemental to the teachers' salary. Of course, some teachers whose line of teaching is not connected with agriculture in any way might be exempt from this requirement, the purpose of which is to have an agricultural spirit pervade the whole school enterprise as well as being the means of increasing salaries. This would also have the effect of keeping the teachers occupied during vacations and at times when otherwise they would be idle. The physician or health officer of the district might be provided with a home on the school grounds.

A community center would be established at the school grounds, where public gatherings could be held, such as school entertainments, picture shows, lectures, literary and public service addresses, ball games and other athletic sports.

The students would be charged a rental for the school lands and for the service of marketing and handling products, of say, one-fourth of the gross production. In Georgia the customary rent is one-fourth of the cotton and cotton seed and one-third of all other crops grown by tenants. One-fourth of everything produced would be a very reasonable rent for the school land, together with the service rendered in marketing the products.

The land rental would furnish a fund more than sufficient to pay the transportation expenses for the entire school population of the district. To illustrate: If the school should have under cultivation 300 acres of land, 1 or 2 acres for each boy or girl over 14 (which is by no means unreasonable, considering the present price of cotton and other farm products, and considering that under a year or two of scientific treatment the land can easily be made to produce a bale or more of cotton and a hundred bushels or more of corn per acre), the gross product of the 300 acres would equal \$60,000, one-fourth of which would be \$15,000. This would certainly more than meet the expenses of transporting the children. The balance would supplement taxation for maintenance of the school.

The school terms would be held during the summer and winter months, having eight months total annual time, with two vacation periods of two months each, one during the crop planting and cultivating period, the other in crop-gathering time, thus enabling the children to assist their parents in the farm work of planting, cultivating, and gathering. At the same time they would be enabled to work their own crops along with their parents, each working to the assistance of the other.

In addition to cultivating the lands the students might be encouraged to engage in projects of animal industry of various kinds, the most feasible of which would seem to be dairying. Each student might procure one dairy cow, to be cared for and milked by the student and the product brought to market by the school transportation system, from which an immediate profit would be derived. The student should be required to care for this cow and her product in the most scientific way. The calves should be taken into account as an element of profit; the manure should be carefully kept and utilized on the school lands. The United States Government estimates that one cow will produce annually 7 tons of barnyard manure. It would be an easy matter to arrange for the students to buy cows. Any banking house in the vicinity would be only too glad to advance

the money to buy cows under an agreement of all students buying cows that in the event one cow should die the other students would pay an assessment sufficient to purchase another cow. This would be good insurance against loss to the banker who furnished the money.

Home economics in all phases would be taught, such as cooking, sewing, home decoration, dairying, poultry raising, bee culture, and other things—in fact, everything that may be deemed useful in rural life.

The student who spends four years successfully under this system of education and project work should have a bank account with which to make a start for a higher education or for buying a farm. Such a student with such a bank account would make a safe borrower for long-time farm-loan funds. He would be competent to make his way in the world and become a useful and productive citizen.

The district in which a school of this kind is conducted would derive wonderful benefits in many ways. In the first place, each land owner would have a farm-demonstration plant adjacent to his own premises. He and his tenants would very quickly adopt the same system of culture that the school uses and would soon fall into the same system of disposing of crops. They would soon take up the dairy business and join the students in producing dairy products. In a short while it would become necessary to establish in the district or in cooperation with other school districts a creamery, a canning factory, a packing house, a community potato storage house, and other like facilities. If perishable fruits and vegetables should be grown for market, it would become necessary for these to be shipped by refrigerator cars, which could be loaded with the combined products of the students and farmers throughout the district. Lands of the district would become more profitable and more valuable; the landowners who give the school lands and the taxpayers who pay of the local school tax would be greatly relieved from the burden of taxation. After the school has been well established, the school lands improved in fertility, and the marketing system perfected, local school tax may be dispensed with altogether.

These school lands would be a permanent endowment for the maintenance of the school through all time, thereby relieving property owners from a greater part if not the entire expense of educating the children of the district. Landowners can well afford to give the farming lands proposed.

No such school has ever been established. The first would necessarily be an experiment; all experiments are more or less expensive, being attended with mistakes and necessary changes that are expensive. It is not thought wise to have any one community undertake at its own expense to establish the first school. The money, or a large part of the money, for the first school should be provided by voluntary contributions made by philanthropic individuals or by the General Government, preferably by the latter.

The agricultural lands should in every case be donated by the landowners of the school district. When one school has been established and maintained for a few years, its success assured and its results demonstrated, then other communities could afford to issue bonds for purchasing the building sites, erecting buildings, and procuring transportation facilities.

The plan when once proven would doubtless be adopted throughout the State and the country at large. There can be no estimating the advantage that would flow to present and future generations from the establishment of such a system of financing vocational agricultural education. The Federal Government can well afford to finance the first plant of this kind with the assurance that its effect would be nation-wide and perpetual in its good results.

This plan has been discussed with a great many landowners and persons interested in education. In no instance has it been contended that it is not feasible or practical. Some have expressed a shadow of a doubt, but all have said they would like to see it tried. Landowners have invariably said they would donate the proposed percentage of their lands.

Respectfully,

L. A. DEAN,

President Board of Education, Floyd County, Ga.

Senator HOKE SMITH,
Atlanta, Ga.



THE RAILROAD PROBLEM

ADDRESS

BY

HON. ALBERT B. CUMMINS

UNITED STATES SENATOR FROM THE
STATE OF IOWA

DELIVERED BEFORE THE GENERAL ASSEMBLY OF IOWA
ON MARCH 27, 1919



PRESENTED BY MR. WALSH, OF MONTANA

MAY 29, 1919.—Ordered to be printed

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

THE RAILROAD PROBLEM.

Mr. President, Mr. Speaker, and gentlemen of the General Assembly:

Some weeks ago the Thirty-eighth General Assembly adopted a concurrent resolution expressing its views upon certain phases of what is generally known as the "Railroad Problem." The resolution further provided that a copy should be sent to the Senators from Iowa and to the Members of the House of Representatives. It seemed to me appropriate that I should make some kind of response to the action of the general assembly, and, inasmuch as the subject is so comprehensive, intricate, and difficult, I replied asking the president of the senate and the speaker of the house if it would be agreeable to the legislative bodies over which they presided to make my response in the form of an address to a joint session of the two houses.

I assume that it is in pursuance to that request that the kind invitation under which I am here has been extended to me, and my purpose is to consider with you for a brief time the railway situation, in the hope that I may be helpful in some degree in bringing about a full understanding of the task which Congress is endeavoring to perform.

Barring, possibly, the proposed League of Nations, the readjustment of the relation between the Government and the railroads is by far the most important and most difficult of the many problems of reconstruction which the war has bequeathed to the United States. There can be no prosperity, no proper development, no enduring growth, unless our system of transportation, both internal and external, is adequate in its facilities and reasonable in the charge for the service rendered. The people of the country should turn their minds to the question in a serious, determined way. They must think of it fundamentally, and with intelligence adopt a policy which will not only be economically sound but which will furnish sufficient transportation to meet the constantly increasing demands of business, and furnish it at the lowest possible cost consistent with fairness to the capital invested and to the men whose brain and brawn conduct and operate railway properties. We ought to bear constantly in mind these two requisites as the basis of all our efforts toward regulation and control. I repeat them: First, adequacy of facilities; second, cost of maintenance and operation.

Dismissing for the moment the former, my greatest desire is to impress upon you and the country the fact, never to be forgotten for a single moment as we pass through this discussion, that the cost of transportation is composed of just two items—first, the charge for capital; and, second, the charge for maintenance and operation.

If we are to serve successfully the general welfare, our labors must be directed toward reducing, if we can, the charge for capital and toward securing the utmost efficiency and economy in maintaining and operating the railway properties compatible with fair compensation to those whose minds and hands are engaged in rendering the service we require.

In order that there may be no misunderstanding as to my attitude, I desire to say in the beginning that I look upon transportation by railway as a governmental function. I believe it is just as much the duty of the Government to provide the people with adequate transportation at the lowest cost as it is to provide them with adequate highways, adequate water supply, adequate courts of justice, or adequate police protection. Whether the Government can best perform this function through the Government ownership and operation of railroads or through the instrumentalities of private corporations under public control is entirely a matter of sound judgment and wise discretion. Whatever course is pursued, the test must be the same. It is our manifest duty to adopt the plan which will give to the people of the country the transportation which they require at the lowest cost.

It is clearly recognized by every country in the world that Government ownership and operation of railroads is a proper governmental activity, and if a particular Government selects some other agency through which to accomplish its purposes it is solely because the commerce of the country can be better served through such agency. I interpolate this thought simply because there are some men who seem to believe that in Government ownership and operation there is a dangerous approach toward socialism as it is generally understood. Nothing could be more erroneous than this view of the subject. I do not intend to enlarge upon this phase of the matter, and mention it only to quiet the fears which seem to disturb the composure of a great many good citizens.

I emphasize again the proposition already announced: The object which Congress must constantly bear in mind is the necessity for transportation and the right of the people to have it upon reasonable terms. If they can secure better transportation and at lower rates through Government ownership and operation, that is the system which should be adopted. If, on the other hand, the object can be attained in a higher degree by employing private instrumentalities under public direction and control, it is obvious that we ought to pursue the latter course.

With these preliminary observations I beg to turn your thought, first, to the magnitude of the subject with which we must deal; and, second, to some historical facts which may be of value in determining what we ought to do.

The railways of the United States constitute about one-twelfth of all the property of the country. We have 260,000 miles of single-track railway—more than one-third, nearly one-half, of all the railways of the world. These railways of ours carry a yearly traffic so much greater than that of any other country that there is really no basis for comparison. Indeed, the traffic of any two nations may be combined and still it does not approach the commerce of America borne upon American railways.

The average capitalization of our railways is \$67,000 per mile, and while that may be greater than the cost of the properties—and I am quite convinced that it is—yet it is still true that it is considerably less than one-half the average capitalization of railways throughout the remainder of the world.

When we approach the radical readjustment of the system of control and regulation of such a property, appreciating its intimate relation with every other business activity, it is not difficult to understand the deep sense of responsibility which those who are engaged with the readjustment must feel, and the consciousness that the work must be done after the most complete inquiry, the most careful reflection, and the most intelligent comprehension of the subject in all its vast ramifications.

It is easy to demonstrate that these railways were not all built where they should have been built and that the construction of hundreds of them was attended not only with profound ignorance of the most fundamental principles of railroad building, but with a greed and graft which shocks the modern investigator; but which, happily, can not be repeated in the future. Nevertheless the railroads were built, communities have been developed which rely upon them, and it is idle to think even of dismantling any considerable number of them or of changing the channels of commerce which have now been established.

It is not my purpose to inquire into the iniquities of either the original construction of the railroads or into the dishonesty which accompanied the capitalization of the railway corporations. Much of the wrongdoing can never be punished, and much of the injustice can never be repaired. Nearly a generation has passed since most of these things were done, and the railways are in the hands of a new and better body of men, who, in my opinion, have in the main for a decade or more been faithfully endeavoring to comply with the law in the management and operation of their railroads; and it is unfair to inflict upon them all the penalties which their predecessors justly incurred.

In my service as a member of the Interstate Commerce Committee of the Senate I have been in close contact with most of the railway presidents and managers of the country, and I take this opportunity to say that, while I can not accept in all respects their opinions with regard to the readjustment which everybody admits is imperative, I believe them to be thoroughly honest in their discussion of the subject; and that they have a sincere desire to help, rather than to hinder, Congress in finding the best solution of the intricate and important problem. It is natural that they should be biased, but it is a pleasure to know that all of them recognize that they are engaged in a public service and that the public interest is, and must always be, the paramount consideration.

Passing over the earlier history of the railroads without further remark, I bring your attention to the three years immediately preceding the war. The years 1915, 1916, and 1917 were the most profitable years ever experienced in the operation of railways. During these years the funded debt, and I use round numbers, amounted to \$11,000,000,000, and the capital stock, eliminating all duplication, to \$6,500,000,000. The property investment account, which was intended

to show the actual cost of the railway property, but which, in fact, is inaccurate, as frequently declared by the Interstate Commerce Commission, aggregated something more than \$18,000,000,000. This does not include all the assets of the corporation. The average net railway operating income for the three years was \$930,000,000.

The average return upon the so-called property investment for the eastern district was 5.21 per cent, for the southern district 5.36 per cent, and for the western district 5.15 per cent. After paying all fixed charges, including interest upon the funded debt and taxes, the railways earned upon their capital stock all the way from nothing to more than 100 per cent.

Limiting my inquiry now to what are known as class 1 roads, being the railways which have a gross income of more than \$1,000,000 annually, and still using the average of the prewar period and the property investment account for comparisons, a startling situation is disclosed.

In the eastern district there are 67 railways. Three of them show a net operating income of more than 10 per cent upon the investment account. Two of them show more than 9 and less than 10. Three of them show more than 8 and less than 9. Four of them show more than 7 and less than 8. Five of them show more than 6 and less than 7. Twelve of them show more than 5 and less than 6. Fourteen of them show more than 4 and less than 5. Nine of them show more than 3 and less than 4. Seven of them show more than 2 and less than 3. Five of them show more than 1 and less than 2. Two of them show less than 1, and one of them was operated at a loss.

In the southern district there are 32 railroads. I need not particularize so closely with respect to them, and it is sufficient to say that upon the property account 4 of them earned more than 7 per cent, 14 of them earned less than 5 per cent, and 7 of them earned less than 3 per cent.

In the western district there are 63 railroads. Thirteen of them had a net operating income of more than 6 per cent, 25 of them had a net operating income of less than 3 per cent, and 20 of them a net operating income of less than 2 per cent.

I am stating these facts for one purpose, and one purpose only. It is to fasten upon your minds the disparity in the earning capacity of the various railroads of the country. In my judgment, the railroads earned in the years to which I have referred, as a whole, more than they ought to have earned; but the varying conditions of the several properties present an insoluble problem under our former system of regulation and control.

It is, of course, well known that a very large proportion of the railroad revenues are earned under competitive rates, and no matter what the necessities of a particular railroad may be it must do business upon the rates that prevail among its competitors. I give you a concrete illustration in order to make this point perfectly clear.

You are all familiar with the Chicago & North Western and the Chicago Great Western Railroads. They are wholly competitive. The average net operating income of the Chicago & North Western for the period named was 6.13 per cent upon its property investment account, while the average net operating income of the Chicago Great Western for the same period was 1.77 per cent. The Chicago Great

Western can not survive upon rates which will enable the Chicago & North Western to pay its interest and 8 or 10 per cent upon its capital stock, and add every year to its surplus.

What is true of the Chicago Great Western is true in greater or less degree of the railroads which carry about 25 per cent of the traffic of the country. To increase rates so that the weak roads will become self-sustaining and able to finance themselves would give to the roads which do 75 per cent of the business a revenue which the commonest sense of justice forbids.

It was this situation which finally convinced every thoughtful man, even before the war turned the railroads over to the Government, that there must be a radical change in the system gradually developed from 1887 to 1917. I beg that you will remember these conditions, for upon them is founded one principle which any readjustment must observe.

Two additional facts and I shall have finished the historical review. The funded debt of all the railroads was, at the beginning of the war, \$11,000,000,000, bearing an interest charge of \$475,000,000, leaving substantially \$550,000,000 for either dividends, investment in property, or surplus. In 1917 the revenue from operation was substantially \$4,000,000,000 and the cost of maintenance and operation was substantially \$3,000,000,000.

In order to complete the basis for the comparisons I shall institute I pass to a very brief statement with respect to the year of Government operation. The President took possession of the railroads on the 29th day of December, 1917. In March, 1918, Congress passed an act which authorized the Government to pay for the use of the property a sum somewhat in excess of \$900,000,000 annually. The volume of traffic in 1918 was slightly less than in 1917, but in the first half of the year the rates, both passenger and freight, were increased so that the revenues amounted to a trifle more than \$4,900,000,000. That is the aggregate sum which the people of the country paid in the year in freight and passenger charges for their railroad transportation—something like \$800,000,000 in excess of the amount paid in 1917.

The cost of maintenance and operation, however, grew to substantially \$4,200,000,000, to which we must add \$900,000,000 for compensation and a further large sum yet to be announced for the expense of the Central Railroad Administration.

The outcome is that it cost the Government more than \$5,100,000,000 to furnish transportation for the year, leaving a deficit of more than \$200,000,000 to be paid from the Treasury of the United States.

While the former Director General expressed before our committee the belief, and in this opinion he was joined by the present Director General, that the year 1919 would exhibit more satisfactory results, it is my judgment that the deficit of 1919 will not be less, and may be more, than the deficit of 1918. I do not intend to enter upon an analysis of this deplorable showing of Government operation further than to say that the increase in revenues is substantially as great as the increase in wages and the advanced cost of supplies, and the shortage must be largely accounted for by the inefficiency incident of Government operation and the tremendous increase in the number of railroad employees—an increase which has always been

observed in all countries as they have passed from private to public operation.

Moreover, the Government during the year either paid or became responsible for extensions, additions, and betterments chargeable to capital account, and which the railroads must repay if they are able, about \$800,000,000. It is this condition which makes it impossible for the Government to return the railroads to their owners until there is far-reaching legislation which will protect both the public and the railroads from the disasters which would inevitably follow an immediate return. Without the necessary credit to finance themselves, and in view of the enormous demands which the war has made, and is making upon the resources of the people, it is clear to thinking men that a return of the railroads to the corporations which formerly operated them without suitable legislation would lead 50 per cent of the railway mileage of the United States into the hands of receivers within six months.

It is the first and highest duty of Congress to deal with this situation in a fundamental way, and to establish a permanent policy for the future maintenance, regulation, and control of our transportation systems. No halfway or timid measures will suffice. We must meet the question squarely and boldly. It is no time for shrinking, compromising spirits. I am sure that I speak for every member of the Senate when I invite the best thought of the General Assembly of Iowa to aid in the solution of this exceedingly serious and overwhelming important problem immediately confronting us.

You will understand, of course, that the facts which I have recited merely outline the information with which the history of railroads, their development and operation, is crowded, and I assume that you will supplement what I have said with your own comprehensive knowledge of the subject. These facts are sufficient, however, in my judgment, to point the way to the reorganization of our transportation system, and to sustain the principles which must be embodied in any successful readjustment of the relation between the Government and the railroads.

Some time prior to the 1st of January, of the present year, and in anticipation of the hearings which have been in progress before the Interstate Commerce Committee of the Senate for two months or more, I announced to the public a series of principles which, as it seemed to me, should be accepted in the enactment of any fundamental legislation. They are:

First. The return upon the capital invested in railways should be made certain through a Government undertaking.

Second. The railways should be consolidated into comparatively few systems and, by few, I mean not more than 18.

Third. The railways should be operated by private corporations organized under an act of Congress.

Many complete plans of reorganization have been laid before the Senate committee, brought forward by the most intelligent, thoughtful men of the country, some of whom are railway executives, some of whom represent security holders, some of whom are bankers, some of whom represent commercial and civic institutions, and some of whom are observers and students of economic life in all its varied phases.

It was intensely gratifying to me to discover as the hearing proceeded that all these plans, save one, adopted the substance of the

principles which I had made public, although there are wide differences in the form of their application to the actual affairs of transportation.

Will you indulge me while I submit, with such brevity as I can command, the reasons which justify the principles to which I have called your attention?

The return upon the capital invested should be made certain by a Government undertaking because—

First, it is highly desirable to remove for all time the demoralizing, corrupting struggle between the owners and representatives of railway property and the public, especially that part of the public directly interested in freight and passenger charges. For more than 40 years this conflict has been going on in conventions, elections, legislatures, Congresses, and the courts. Sometimes the railways have won, sometimes the people have won, but the fight has been so intense that oftener than otherwise the justice of the matter has been ignored by both sides, and it is high time to bring the contest to an end.

Second, the honest investment in railway properties is entitled to protection, and the public is entitled to fair treatment. It is impossible to conceive of any revision of the law that will accomplish these two things without the elimination of the controversy relating to the return upon capital. The certainty of the return is also demanded because furnishing transportation is a public business, and abstractly considered there should be no speculative profit in the business.

Finally, and chiefly, the return should be made certain in order to reduce the charge for the capital invested in the railways properties. So long as the return is uncertain with respect to many railroads, every railroad will insist upon earning all it can.

Taken as a whole, the roads received in 1917 a net operating income of about \$1,000,000,000, and they were contending earnestly for more. In 1918 Congress authorized the President to pay them as compensation during the Government possession somewhat more than \$900,000,000 per year, and this did not include many of the short-line railways. If the Government makes a certain return, it can justly reduce the return to a rate of interest which a Government obligation ought to bear.

Assuming, but not conceding, that the railways are worth in the aggregate \$17,000,000,000, a return of $4\frac{1}{2}$ per cent under a Government guaranty would be ample. Under such a provision the annual charge for the properties as they now are would be \$765,000,000. The people paid in 1917 a capital charge of \$1,000,000,000, and we are now paying under Government operation a capital charge of more than \$900,000,000. The principle I have proposed, if embodied in the law, will save the people of the country from \$250,000,000 to \$500,000,000 annually, for it must be remembered that under the old system the capital charge was gradually increasing, and it is easy to believe that without reckoning any addition to the value of the property the capital charge would soon reach \$1,200,000,000.

Another vexatious element would be laid at rest. The unearned increment in public-utility property is a constant menace. It ought to be understood, once for all, that a fair return upon the actual investment is all that capital can demand. I understand perfectly that

many people will instinctively shrink from a guaranteed return, but their reluctance to adopt the principle will disappear upon reflection. There is no possibility of an additional burden; on the contrary, we will save an immense sum of money every year and at the same time convert railway securities into a stable investment and contribute tremendously to the available credits of the country.

There are various methods in which the principle can be applied. It may take the form of a legislative assurance that the rates shall be sufficient to produce the sum required, but, preferably, it will be put in a positive guaranty. It may be worked out through the securities as they now exist, but the simpler plan would be for Federal corporations to acquire all the properties or all the securities and issue or substitute new obligations.

It is to be understood that in any event there must be a valuation of railway properties, unless there can be an agreement between a Government agency, such as the Interstate Commerce Commission, and the owners with respect to value. In my judgment this principle extends the only hope of a reduction in rates or of preventing still further increases.

The second principle to which I have referred is that there must be a consolidation of the railroads into comparatively few systems. It is utterly impossible to maintain an efficient system of transportation with reasonable rates for services unless this be accomplished. In my statement of the earning capacity of the various roads it was made entirely clear that if the weaker roads are made self-sustaining, so that they can continue to serve the communities through which they pass, the stronger roads will enjoy a revenue so excessively large that the people as a whole will be compelled to pay inordinately for their transportation. This is one proposition upon which all impartial students of the subject agree, no matter whether they come from railway life or from the general community. The weaker roads must be merged with the stronger ones into competitive systems which can endure upon substantially even terms. They must be merged, too, under a law that will require at proper times a common use of terminal facilities and a free interchange of equipment, and thus preserve the great advantages of unification, which is the one superiority in Government operation.

I am not in favor of regional systems, for we must at all hazards perpetuate competition in service. The experts who have studiously examined the matter are of the opinion that all the railroads of the country could be consolidated into—say 18 systems, and that the competition in service in nearly every locality would be even more keen than when the Government assumed control.

I can not, within the time which I may properly consume, describe these systems, but I know that it is wholly practicable to do what I have suggested. When this is accomplished if any particular system earns enough as a whole to pay the capital charge and the cost of maintenance and operation the law will be satisfied, and all that will remain for the Interstate Commerce Commission to do will be to see that the rates as between communities and commodities are not discriminatory.

I would not have you think that it will be easy to bring about this situation. It will require very considerable time and a high order of intelligence, but it is largely administrative work; and in the

hands of men who have devoted their lives to the subject, it can be realized without danger to either the financial, commercial, or industrial structure of the Nation.

Here, again, more than one method can be used to embody the principle. It is possible to take railway corporations already in existence and work out the plan with them. My own conviction, however, is that the safer and better method is to put each of these consolidated systems in the hands of a Federal corporation. It is gradually becoming clear that in so far as rates are concerned the National Government must be the arbiter. I have come to this conclusion slowly and reluctantly, but it is folly to resist the inevitable conclusion. State-made rates which either discriminate against interstate rates or which do not raise their full share of the required revenue, impair the control over interstate commerce which the Constitution has conferred upon Congress, and destroy the efficiency of Federal action. I sincerely hope that there will be found some feasible plan for cooperation in this matter between Federal and State authorities, but in the last resort the Federal agency is supreme.

It seems to me, therefore, that all railway common carriers should be organized under an act of Congress, although I freely admit that the National Government can exercise its full power through State corporations, but with some embarrassment and loss of efficiency.

The third principle which I have mentioned is that the railways should be operated by private corporations rather than by the Government. I want you to observe that I emphasize the distinction between Government ownership and Government operation. I realize fully that when the Government undertakes that the return upon the capital invested shall be certain, or in other words guarantees the return, whether by legislative assurance or explicit obligation, it is the equivalent of Government ownership, and in so far as I am concerned, I am quite ready for the undertaking. The truth is that we have Government ownership now in its most undesirable form. The Interstate Commerce Commission, under the present law, determines the revenues which the railways shall receive. It thereby determines the expenses which they may incur, and when the technical owner of property loses the right to say how much he shall have for its use, and the right to say how he shall conduct the business of which it is a part, and the right to fix the cost of its operation, he has parted with the essential characteristics of private property.

I favor the private operation of railways under the strictest control for one reason, and one only. The Government can not operate the railroads either economically or efficiently. It is not my purpose to examine the experience of other countries. It is sufficient to say that to my mind that experience is not reassuring. But no matter how that may be, I know that the Government can not take \$17,000,000,000 of railway property rendering a service which reaches every nook and corner of the land, employing in the service 2,000,000 men or more, and indirectly affecting the fortunes of many other millions, and manage it with either economy or efficiency.

It costs the Government more to do any given thing in a country like ours, where every man is a sovereign, than it costs anybody else to do the same thing. The history of every enterprise of a business character conducted by the Government proves all and a great deal more than the statement I have just made. I disparage no one, and

impugn no man's integrity. What I have said is not only the truth, but it is as natural as life itself.

I admit that the result of Government operation during the year 1918—a year of war—is not altogether a fair criterion by which to test the capacity of the Government to manage the business of transportation, and it is not my desire to discredit the officials who have been responsible for what has happened. They have, however, demonstrated that the influences which surround the operation of a great commercial and industrial enterprise are too strong to be resisted.

It is unnecessary for me to enter the details of this subject, and I am content simply to record my opinion in favor of private operation, an opinion based solely upon the ground that the people of the country will get better transportation and at less cost in that way than through Government operation; and that, as I view it, is the chief concern of those to whom the service is to be rendered.

If then, private operation is the better plan, how is it to be accomplished, in view of the limited capital charge which I have already considered? I am fully aware that if private corporations are to operate the several systems which I have described there must be an incentive in the way of profit in order to secure the highest degree of fidelity and efficiency. There must be a reward for good management and honest work and a penalty for bad management and dishonest work.

Happily, there are several methods through which this problem can be worked out. It can be done through a leasing system, with the rights of lessees carefully prescribed in suitable contracts, but a still better way may be found by providing for a corporate ownership of the several systems into which the country should be divided, each corporation with a capitalization representing the actual value of the particular system, and the establishment of rates which will produce not only the cost of maintenance and operation and the guaranteed return upon capital, but a reasonable sum in excess of the guaranty; the excess to be divided between the stockholders and the workingmen. I am a profound believer in profit sharing, and when the rule is properly applied it will solve many of the problems which now disturb the industrial world. The additional compensation to capital for efficient management, together with the sum distributed among employees as a reward for faithful labor, will be far less than the increased cost of Government operation.

These suggestions could be extended almost indefinitely, but I forbear, knowing that I have sketched but the outline of a mighty field. If, however, I have turned your thought to the real questions which must be answered and have induced you to give them the study of which you are capable, and thus forward the immediate task in which we are commonly engaged, I have fulfilled my mission and will be content with your judgment upon my public service in this regard.

One word more and I will have finished what to me has seemed a duty and which I hope you will not look upon as an intrusion upon your valuable time. I intend to discuss this subject throughout the country within the next two months, and I felt that I should first lay my views before the lawmaking body of my own State.

ADDRESS
OF
PRESIDENT WOODROW WILSON



**DELIVERED AT THE MEMORIAL EXERCISES
HELD AT SURESNES CEMETERY NEAR
PARIS, FRANCE, ON MAY 30, 1919**



PRESENTED BY MR. PITTMAN
JUNE 2, 1919.—Ordered to be printed

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

PRESIDENT WILSON'S MEMORIAL DAY ADDRESS AT SURESNES CEMETERY NEAR PARIS.

Mr. Ambassador, ladies and gentlemen, fellow countrymen, no one with a heart in his breast, no American, no lover of humanity, can stand in the presence of these graves without the most profound emotion. These men who lie here are men of unique breed. Their like has not been seen since the far days of Crusades. Never before have men crossed the seas to a foreign land to fight for a cause of humanity which they did not pretend was particularly their own, but knew was the cause of humanity and of mankind. And when they came they found comrades for their courage and their devotion. They found armies of liberty already in the field—men who, though they had gone through three years of fiery trial, seemed only to be just discovering, not for a moment losing, the high temper of the great affair, men seasoned in the bloody service of liberty. Joining hands with these, the men of America gave that greatest of all gifts, the gift of life and the gift of spirit.

It will always be a treasured memory on the part of those who knew and loved these men that the testimony of everybody who saw them in the field of action was their unflinching courage, their ardor to the point of audacity, their full consciousness of the high cause they had come to serve, and their constant vision of the issue. It is delightful to learn from those who saw these men fight and saw them waiting in the trenches for the summons to the fight that they had a thought of the spirit as well as a physical might, and those of us who know and love America know that they were discovering to the whole world the true spirit and devotion to their motherland. It was America who came in the person of these men and who will forever be grateful that she was so represented.

And it is the more delightful to entertain these thoughts because we know that these men, though buried in a foreign land, are not buried in an alien soil. They are at home, sleeping with the spirits of those who thought the same thoughts and entertained the same aspirations. The noble women of Suresnes have given evidence of the loving sense with which they received these dead as their own, for they have cared for their graves, they have made it their interest, their loving interest, to see that there was no hour of neglect, and that constantly through all the months that have gone by the mothers at home should know that there were mothers here who remembered and honored their dead.

You have just heard in the beautiful letter from M. Clemenceau what I believe to be the real message of France to us on a day like this, a message of genuine comradeship, a message of genuine sympathy, and I have no doubt that if our British comrades were here they would speak in the same spirit and in the same language. For the beauty of this war is that it has brought a new partnership and

a new comradeship and a new understanding into the field of the effort of the Nation.

But it would be no profit to us to eulogize these illustrious dead if we did not take to heart the lesson which they have taught us. They are dead; they have done their utmost to show their devotion to a great cause, and they have left us to see to it that that cause shall not be betrayed, whether in war or peace. It is our privilege and our high duty to consecrate ourselves afresh on a day like this to the objects for which they fought. It is not necessary that I should rehearse to you what these objects were. These men did not come across the sea merely to defeat Germany and her associated powers in the war. They came to defeat forever the things for which the Central Powers stood, the sort of power they meant to assert in the world, the arrogant, selfish domination which they meant to establish, and they came, moreover, to see to it that there should never be a war like this again. It is for us, particularly for us who are civilized, to use our proper weapons of counsel and agreement to see to it that there never is such a war again. The nation that should now fling out of this common concord of counsel would betray the human race.

So it is our duty to take and maintain the safeguards which will see to it that the mothers of America and the mothers of France and England and Italy and Belgium and all other suffering nations should never be called upon for this sacrifice again. This can be done. It must be done, and it will be done. The things that these men left us, though they did not in their counsels conceive it, is the great instrument which we have just erected in the league of nations. The league of nations is the covenant of governments that these men shall not have died in vain. I like to think that the dust of those sons of America who were privileged to be buried in their mother country will mingle with the dust of the men who fought for the preservation of the Union, and that, as those men gave their lives in order that America might be united, these men have given their lives in order that the world might be united. Those men gave their lives in order to secure the freedom of mankind, and I look forward to an age when it will be just as impossible to regret the results of their labor as it is now impossible to regret the result of the labor of those men who fought for the union of the States. I look for the time when every man who now puts his counsel against the united service of mankind under the league of nations will be just as ashamed of it as he is who regretted the union of the States.

You are aware, as I am aware, that the airs of an older day are beginning to stir again, that the standards of an old order are trying to assert themselves again. There is here and there an attempt to insert into the counsel of statesmen the old reckoning of selfishness and bargaining, and national advantage, which were the roots of this war, and any man who counsels these things advocates a renewal of the sacrifice which these men have made; for if this is not the final battle for right there will be another that will be final. Let these gentlemen who suppose that it is possible for them to accomplish this return to an order of which we are ashamed and that we are ready to forget, realize they can not accomplish it. The peoples of the world are awake and the peoples of the world are in the saddle. Private counsels of statesmen can not now and can not hereafter

determine the destinies of nations. If we are not the servants of the opinion of mankind, we are of all men the littlest, the most contemptible, the least gifted with vision. If we do not know courage, we can not accomplish our purpose, and this age is an age which looks forward, not backward; which rejects the standard of national selfishness that once governed the counsels of nations and demands that they shall give way to a new order of things in which only the questions will be, "Is it right?" "Is it just?" "Is it in the interest of mankind?"

This is a challenge that no previous generation ever dared to give ear to. So many things have happened so fast in the last four years that I do not think many of us realize what it is that has happened. Think how impossible it would have been to get a body of responsible statesmen seriously to entertain the idea of the organization of a league of nations four years ago! And think of the change that has taken place! I was told before I came to France that there would be confusion of counsels about this thing, and I found unity of counsel. I was told that there would be opposition, and I found union of action. I found the statesmen with whom I was about to deal united in the idea that we must have a league of nations; that we could not merely make a peace settlement and then leave it to make itself effectual, but that we must conceive some common organization by which we should give our common faith that this peace would be maintained and the conclusions at which we had arrived should be made as secure as the united counsels of all the great nations that fought against Germany could make them. We have listened to the challenge, and that is the proof that there shall never be a war like this again.

Ladies and gentlemen, we all believe, I hope, that the spirits of these men are not buried with their bones. Their spirits live. I hope—I believe—that their spirits are present with us at this hour. I hope that I feel the compulsion of their presence. I hope that I realize the significance of their presence. Think, soldiers, of those comrades of yours who are gone. If they were here what would they say? They would not remember what you are talking about to-day. They would remember America, which they left with their high hope and purpose. They would remember the terrible field of battle. They would remember what they constantly recalled in times of danger, what they had come for and how worth while it was to give their lives for it. And they would say, "Forget all the little circumstances of the day. Be ashamed of the jealousies that divide you. We command you in the name of those who, like ourselves, have died to bring the counsels of men together, and we remind you what America said she was born for. She was born, she said, to show mankind the way to liberty. She was born to make this great gift a common gift. She was born to show men the way of experience by which they might realize this gift and maintain it, and we adjure you in the name of all the great traditions of America to make yourselves soldiers now once for all in this common cause, where we need wear no uniform except the uniform of the heart, clothing ourselves with the principles of right, and saying to men everywhere, 'You are our brothers and we invite you into the comradeship of liberty and of peace.'" Let us go away hearing these unspoken mandates of our dead comrades.

If I may speak a personal word, I beg you to realize the compulsion that I myself feel that I am under. By the Constitution of our great country, I was the Commander in Chief of these men. I advised the Congress to declare that a state of war existed. I sent these lads over here to die. Shall I—can I—ever speak a word of counsel which is inconsistent with the assurances I gave them when they came over? It is inconceivable. There is something better, if possible, that a man can give than his life, and that is his living spirit to a service that is not easy, to resist counsels that are hard to resist, to stand against purposes that are difficult to stand against, and to say, "Here I stand, consecrated in the spirit of the men who were once my comrades, and who are now gone, and who left me under eternal bonds of fidelity."



SITES FOR MILITARY HOSPITALS

REPORT OF A SUBCOMMITTEE

OF THE

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS SUBMITTED
DURING THE SIXTY-FIFTH CONGRESS, PURSUANT TO SENATE
RESOLUTION NO. 386, AUTHORIZING AND DIRECTING THE COM-
MITTEE ON PUBLIC BUILDINGS AND GROUNDS TO INVESTIGATE
THE SELECTION AND ACQUISITION OF SITES
FOR MILITARY HOSPITALS



PRESENTED BY MR. REED
JUNE 2, 1919.—Ordered to be printed

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

SITES FOR MILITARY HOSPITALS.

Your subcommittee, pursuant to the terms of Senate Resolution 386 (Sixty-fifth Congress, third session), begs leave to submit the following report:

Senate Resolution 386 provides:

Resolved, That the Committee on Public Buildings and Grounds be, and is hereby, authorized and directed to investigate the selection and acquisition of sites for military hospitals, and contracts and expenditures for the repair, acquisition, and construction of such hospitals; also what additional hospital facilities are required and what existing public buildings, if any, are available for use as hospitals.

In accordance with the authority contained in said resolution and in obedience to the instructions of your committee, on Wednesday, January 15, 1919, your subcommittee was organized and consisted of Senators Reed, Hardwick, Beckham, France, and Lenroot. Subsequently, Senator Reed being unable to serve on the subcommittee, appointed Senator Trammell of Florida as a member of said committee, and as thus constituted the committee proceeded to hear evidence and take testimony touching matters embraced by said resolution.

Beginning on Wednesday, January 22, 1919, and ending on Tuesday, February 11, 1919, your subcommittee conducted hearings during the progress of which the testimony of many witnesses was heard and much written and documentary evidence taken. The hearings are embraced in four volumes, containing about 1,500 pages of printed matter and are hereby submitted, by reference, as a part of this report.

Your committee was directed "to investigate the selection and acquisition of sites for military hospitals, and contracts and expenditures for the repair, acquisition, and construction of such hospitals; also what additional facilities are required and what existing public buildings, if any, are available for use as hospitals."

Giving the last words quoted their broadest significance, the committee assumed, especially because of the fact that legislation on the subject was pending before the Senate, that the Senate desired to ascertain, for consideration in connection with said pending legislation, the following:

First. What are the existing military hospital facilities of the country? And how much, if any, are said facilities in excess of the present requirements and of the reasonable requirements of the near future?

Second. What are the existing hospital facilities that will be required for discharged soldiers, sailors, and marines who become sick or disabled after they are mustered out of the service and are no longer eligible for treatment in the military hospitals of the Government?

Third. To what extent, if any, can existing hospital facilities of the Government be employed for the use of such soldiers, sailors, and marines? And to what extent, if any, is the construction of new hospitals essential and necessary?

Fourth. What has been the record and conduct of the War Department in general with respect to the acquisition of sites for military hospitals and expenditures for the construction and lease of such hospitals?

Fifth. What has been the conduct of the officials of the War Department in selecting and acquiring sites for military hospitals and in making contracts for the repair, acquisition, and construction of such hospitals?

Taking up these subjects in the order we have named, we find:

First. The existing military hospital facilities of the country can be divided into five classes, i. e., post hospitals, permanent general hospitals, temporary general hospitals, base hospitals, and embarkation and debarkation hospitals. These are the Army hospitals.

The naval hospitals are divided into three classes, those which existed before the war, new hospitals built since the war, and one tuberculosis camp at Fort Lyons, Colo.

The total capacity of all the naval hospitals is about 15,000 beds, and it is impossible to say that the hospital facilities of the Navy are in excess of the present requirements and of the reasonable requirements of the near future.

As to the Army hospitals, the situation is as follows:

HOSPITALS AT THE BEGINNING OF THE WAR.

	Number.	Beds.
Post hospitals.....	132	5,336
General hospitals.....	4	1,330
Total hospitals beginning of war.....	136	6,666

HOSPITALS BUILT SINCE THE WAR (AVAILABLE AT THE PRESENT TIME).

	Number.	Beds.
General hospitals, including above 4 general hospitals.....	43	31,508
Base hospitals.....	41	66,006
Embarkation and debarkation hospitals.....	9	11,545
Total new projects.....	93	109,059

HOSPITALS ON WHICH WORK HAS JUST STARTED.

	Beds.
St. Louis general hospitals, St. Louis, Mo.....	500
Philadelphia general hospitals, Philadelphia, Pa.....	500
Total.....	1,000

We are advised by the Surgeon General's Office that there are no further hospitals contemplated.

Of the 109,059 beds available January 18, 1919, in the hospitals, other than post hospitals, 45,973 were vacant. The evidence before the committee is that this number of vacancies will increase rather than decrease, and that the full number of beds which were provided by the War Department will never be used by it.

Second. Standing alone, the statement that the Army has approximately 50,000 beds vacant would seem to indicate that there is no necessity whatever for building any additional hospitals for any purpose; but the evidence discloses that the following facts are to be met in connection with these vacant beds:

(a) The beds are scattered among 132 post hospitals, 4 permanent general hospitals, 39 temporary general hospitals, 41 base hospitals (located principally in cantonments), and 9 embarkation and debarkation hospitals, so that it is not possible to utilize these beds by complete wards for the treatment together of diseases of the same character, which method experience has demonstrated to be the proper method of treatment.

(b) Many of the general hospitals are of temporary construction, on leased ground, and, not being constructed for permanent use, they should be discontinued as rapidly as possible.

(c) All of the base hospitals are of temporary construction, and located as they largely are in cantonments, will, when other activities for which the cantonments were provided are no longer used, be isolated, certainly difficult to operate, and possibly expensive.

(d) Experience has already demonstrated that the strict military discipline necessarily enforced in Army hospitals becomes irksome to sick and wounded soldiers. Having performed their duty as soldiers and realizing that the war is over, their desire is to be through with all things military, including military hospitals.

These reasons, to which others might be added, indicate that it is not possible to utilize the apparently available 50,000 vacant beds at least to anything like the number of 50,000.

The subcommittee has, however, had repeated and lengthy conferences with the Secretary of War, the Surgeon General, and those of his assistants having direct charge of Army hospitals on the one hand, and the officials of the War Risk Insurance and Public Health Service under the Treasury Department on the other, with the very satisfactory result that with the full and cordial acquiescence of all concerned we have been able to secure the consent of the War Department to transfer to, and of the Public Health Service and War Risk Insurance to receive and operate, the existing hospitals at Edgewood Arsenal, Md., Camp Hancock, Ga., Camp Joseph E. Johnston, Fla., Camp Beauregard, La., Camp Fremont, Calif., and the nitrate plant at Perryville, Md.; thus saving to the Government the expenditure of many millions for new construction.

We are assured by the officials of the Public Health Service that these hospitals are widely enough scattered and well enough located and constructed so that they can be used advantageously for those entitled to treatment in Public Health Service hospitals.

It should be realized, however, that these hospitals can not be utilized to their full capacity. The enlisted personnel of the Army furnished abundant orderlies and guards, such as in numbers, far exceeded those permitted by law to civilian hospitals of the Government, and therefore more space in these hospitals could be utilized than it would be safe to utilize with the lesser force of the Public Health Service. Nevertheless, they can be utilized for thousands of beds.

As a result of the conferences which the committee has had with the officials of the War and Treasury Departments, it is very satisfactory to be able to report that arrangements have been made by which hospital equipment paid for by the War Department and no longer needed by it, is to be turned over to the Public Health Service for its use, thus effecting a saving which may amount to \$5,000,000, while at the same time giving the Public Health Service the benefit of hospital equipment of the most complete and modern character, almost immediately available.

It would be improper to close the discussion under this paragraph without a brief statement of what the Public Health Service believes the demand will be upon it from discharged soldiers, sailors, and marines.

The War Risk Bureau has records already of approximately 80,000 men who will be entitled under the war-risk legislation to demand treatment from the Public Health Service. Of course, only a minor fraction of these men will in all probability come to Public Health Service hospitals for treatment, but on the other hand, the number of known cases is being increased daily as the Army and Navy are demobilized and men are being discharged because of physical disability, from both these branches.

In addition to discharged soldiers and sailors entitled to treatment under the war-risk act, the following classes of persons are entitled to treatment by the Public Health Service: Merchant marine seamen, including seamen on boats of the Mississippi River Commission; officers and enlisted men of the United States Coast Guard; keepers and assistant keepers of the United States Lighthouse Service now entitled by law to treatment; seamen of the Engineer Corps of the United States Army; officers and enlisted men of the United States Coast and Geodetic Survey; civilian employees entitled to treatment under the United States employees compensation act; employees on Army transports not officers or enlisted men of the Army; and employees of the Bureau of Fisheries.

Third. The extent, if any, to which existing hospital facilities of the Government can be employed for the use of such soldiers, sailors, and marines has already been discussed, and brings up naturally the next question: To what extent, if any, is the construction of new hospitals essential and necessary?

The subcommittee in recommending to the full committee an amendment to H. R. 13026 recommended the following entirely new construction:

At Dawson Springs, Ky., a tuberculosis sanatorium having a capacity of not less than 500 beds. There are several reasons for this sanatorium:

(a) It is to be in part a tuberculosis sanatorium, and up to January 1, 1919, there had been discharged, because of tuberculosis, soldiers, sailors, and marines numbering 24,500, any or all of whom are entitled to claim treatment under the war-risk insurance legislation. There are practically no tuberculosis sanatoria available.

(b) A gift of 5,000 acres of land is to be made in connection with this hospital or sanatorium, which land contains large quantities of coal, which can be used to extreme advantage in diminishing the cost of heating and lighting the plant.

(c) The waters of Dawson Springs are reported as possessing real medicinal curative value.

The subcommittee also recommended a new hospital plant at Norfolk, Va. This hospital is needed not only for the war-risk obligations, but Norfolk, being the second largest seaport on the Atlantic coast, the demands for hospital service for merchant seamen is, on account of our enlarged merchant marine, constantly growing.

The subcommittee recommends a hospital in or near the District of Columbia, because discharged soldiers, sailors, and marines, having the liberty of a choice of hospitals, come in quite large numbers to Washington and there are at present no adequate facilities for their care.

The subcommittee recommends no other new construction except the Speedway or Maywood Hospital, located in Cook County, Ill., near Chicago, which is discussed later.

In connection with its recommendations for new construction, the subcommittee recommends that, so far as feasible, it be of fire-resisting character. It is, of course, appreciated that there are times and places where nonfireproof hospitals are being and must continue to be used, but whenever and wherever practicable, the subcommittee believes that hospitals should be as nearly fireproof as may be possible.

It recommends \$190,000 for an addition to the marine hospital at Stapleton, Staten Island, N. Y., the need for additional hospital accommodations in and about New York City being obvious, and the appropriation of \$750,000 to remodel and adapt the existing hospitals, turned over by the War Department to the Public Health Service, to the uses and purposes of that service.

Some facilities can be converted at the National Soldiers' Home, at Hot Springs, S. Dak., without dispossession or materially discommoding the soldiers of previous wars already there and entitled to the accommodations of a home. These facilities it is proposed to utilize for five years or less.

Fourth. In relation to the record and conduct of the War Department in general with respect to the acquisition of sites for military hospitals and expenditures for the construction and lease of such hospitals, the subcommittee reports that from the evidence taken, this matter seems, in general, to have been well handled. There are some figures for leases which seem high, but the explanation is made concerning these that the buildings were especially well adapted to hospital purposes and, all things considered, that the rents are not excessive.

Fifth. As to the conduct of the officials of the War Department in selecting and acquiring sites for military hospitals, in making contracts for the repair, acquisition, and construction of such hospitals, it is to be said that if the department erred, it erred in not planning during the summer of 1918 for the expected requirements. Fortunately, however, this error of judgment, if it was an error, turned out to the advantage of the Treasury through the war ending at a much earlier date than was generally expected. It is certain that the department did not plan for more hospitals than it seemed reasonably certain would be needed for the returning wounded soldiers.

Complaints were laid before the subcommittee in relation to two hospital matters, i. e.:

(a) Hot Springs, Ark.

(b) The Speedway or Maywood Hospital in Cook County, Ill., near Chicago.

The Hot Springs matter was brought to our attention and relates to the Eastman Hotel at Hot Springs. This matter involves no substantial monetary loss to the proprietors of the hotel, but it does involve the very serious accusation by certain officers of the War Department that the proprietors of the Eastman Hotel were attempting to engage in profiteering at the expense of the Government; the general accusation which was afloat in relation to the proprietors of the Eastman Hotel was, as stated on the investigation, that the Eastman Hotel Co. was trying to unload an old hotel on the Government, that the hotel was a fire trap, and that the price that was asked was excessive. The president of the Eastman Hotel Co., Mr. A. B. Gaines; the manager, W. E. Chester; and its attorney, Mr. Wm. T. S. Curtis, came before this committee voluntarily.

It is very certain from their testimony, and the evidence they produced, that the accusation made against them has not now nor never had any foundation of fact.

Stated briefly, the situation is that on the 14th of December, 1917, the commandant of the Army hospital at Hot Springs addressed a letter to the hotel company, stating that the Government desired the hotel for hospital purposes and asking the hotel company to fix a price.

The price which the hotel company fixed was the amount of its capital stock \$600,000, plus \$45,000, the latter sum representing an existing mortgage on the property.

The company in no way urged the purchase of the property by the Government, was not anxious to sell it, and was entirely willing to continue to conduct it as a hotel.

Later the question arose as to whether the hotel could be made more nearly fire safe, and the company procured the services of the architects who did the Government work at Hot Springs to prepare plans for additional safeguards.

Shortly after the 18th of June Mr. J. Milton Trainer visited Hot Springs, at the request of Maj. James S. Holden, formerly major in charge of the real-estate section of Purchase, Storage and Traffic Division of the General Staff.

Mr. Trainer formed the impression that the property was not worth \$645,000. Whether he was correct in his judgment it is not now essential to inquire. His report to the real-estate section was incorrect in two particulars, i. e., he stated that the Eastman Hotel had never been operated as a successful hotel; that it had been closed for many years. The facts are that it has not been closed any year since it was built. That it has paid dividends each year except four, and that those four years it made a profit each year which was put back into betterments.

There are no allegations that Mr. Trainer made any improper suggestions to any of the proprietors of the Eastman Hotel.

In order to meet the situation entirely, the president of the hotel company came to Washington in July and stated to Maj. Holden, Mr. Trainer, and others that the price had nothing to do with the situation if the Government wanted the hotel for a hospital; that the hotel company suggested that if the Government wanted the hotel an appraisal committee of three should be appointed in the manner provided by statute, and whatever value was fixed by the commission the hotel company would accept.

Subsequently, on July 30, the offer was renewed in writing, by Mr. Curtis, the attorney (in Washington) for the hotel company.

In the end, the Government did not pursue its request, and dropped its own suggestion, and the hotel property is still being conducted as a hotel by the Eastman Hotel people.

As to the so-called Speedway Hospital project near Chicago, the facts are in the main thoroughly proven. The land, consisting of about 320 acres, about 8½ miles from the city hall of Chicago, and the improvements existing thereon, in 1917, had, together with the taxes and carrying charges, cost the then owners (Edward Hines, with a twelve-thirteenths interest and the Shank Co. with a one-thirteenth interest), about \$1,700,000.

In the early summer of 1918, the Speedway property was brought to the attention of Secretary of War Baker, as a proper site for an emergency hospital of fireproof construction. Secretary Baker was at that time preparing for his trip to Europe but directed the Surgeon General's Office to study the proposition and to push the matter if it turned out to be a feasible project.

It was first proposed to build a main building and six smaller buildings which, together with 320 acres of land and improvements, were offered to the Government for the lump sum of \$2,500,000. We find, as has everyone else that has investigated it, that the project was a good one, that the price was low, and that the proposition was an advantageous one for the Government.

Subsequently it was found that additional buildings were needed and the owners proposed to build these for \$753,475 or a total sum for the entire project of \$3,253,475. This price for the larger project was also low, and this proposal also an advantageous one for the Government.

Whether the hospital is figured as a 2,500-bed proposition in which case the price per bed would be about \$1,304, or as a 4,000-bed proposition as a war emergency hospital, in which case the price would be about \$813 per bed, it compares very favorably with what it costs the Government to construct rough, wooden hospitals at cantonments and other war emergency hospitals, and there is no doubt that the price per bed is cheap.

In addition, Mr. Hines offered in writing to repurchase the property at any time within eight years, and to pay the Government for it 40 per cent of the entire cost, and to deposit Liberty bonds in the amount of \$1,300,000 to secure the carrying out of the purchase.

Neither the first nor the second project secured the approval of the Secretary of War, and thus the owners of the Speedway failed ever to obtain a legal contract.

The question remains whether they have a moral claim on the Government. We think it probable that they have. In considering this, it is not particularly material to consider why either or both propositions were rejected. The Acting Secretary of War had the power to reject, and exercised that power.

However, it is shown by overwhelming evidence and proof that at the time Mr. Shank signed the contract, August 31, 1918, there was great urgency in the procuring of hospital beds; that a large amount of additional beds would be required in the Chicago district and that there were no beds in sight. The Shank contract was the only contract which had been signed, and when Mr. Shank com-

menced work on September 3, 1918, it was the only work being done on any hospital project in the Chicago district toward filling the Government requirements of 12,000 beds.

There is no doubt that this urgency was brought to the attention of Mr. Shank and his architects. A clause was even inserted in the contract referring to this urgency.

There is also no doubt that the Construction Division and the Surgeon General's Office, both of which approved the project, expected the contract to be authorized by the Secretary of War and that this expectation was communicated to Mr. Shank.

The proper departments of the Government applied for official designation for the hospital and the hospital was officially placed on the list of Government Army hospitals as "General Army Hospital No. 32, Maywood." Official mail was sent from many departments in large quantities to the hospital under this designation. Wounded soldiers were routed from the debarkation hospital at Hoboken under the impression that the hospital existed as an Army hospital.

Acting under the knowledge of this urgency and with the laudable desire to complete this large and important hospital project in the minimum time, the contractor, during the month of September, 1918, pushed the work prodigiously, and not until substantial progress had been made in the work did the contractors receive any intimation that it was not the desire of the War Department for them to proceed with the work in advance of the formal approval of the contract.

We can not escape the conviction that the owners of the Speedway Hospital, under all the circumstances, have a clear moral claim against the Government for the amount they have invested in the construction of the hospital.

We are supported in our views as to the hospital project itself by the fact that it has been three times investigated—first, by Col. William A. Starrett; second, by Maj. Louis W. Stotesbury; and, third, by a special commission appointed by the Secretary of War, and consisting of Gen. J. L. Chamberlain, Inspector General; Maj. Gen. M. W. Ireland, Surgeon General; Brig. Gen. R. C. Marshall, Chief of Construction Division; Lieut. Col. C. C. Wright, assistant to Gen. Marshall; Maj. L. W. Stotesbury, of the Inspector General's Department; and Maj. A. E. Strode, of the Judge Advocate General's Department.

All three of these investigations resulted in the recommendation of the acceptance of the Speedway Hospital project as a Government hospital.

We have incorporated the conclusions of Maj. Stotesbury and of the commission headed by Gen. Chamberlain in the records of this investigation for the information of the committee. The report of Col. Starrett, while favorable to the project, was much more hasty than the other two, and we have not incorporated it in our records, except in part.

There were attempts, in the investigation of this matter, to reflect discredit upon Mr. Edward Hines in connection with this project.

We find that no evidence has been introduced in any way reflecting on the business integrity of Mr. Hines or his fair and generous treatment of the Government in this particular matter.

As to the future of the hospital, we are very clearly of the opinion that it ought to be completed and utilized. There seems to be no

question that it is a better building for hospital purposes than any now owned by the United States Government.

In our judgment, if work is stopped upon this hospital now, the Government might, at some time in the future, pay to the owners a large sum of money for which it will obtain nothing, and the people of the United States will have lost the benefit of the magnificent structure which has been erected. With slight changes it will serve admirably the purpose of the Public Health Service.

The various services of the Government will need hospital facilities, especially for sick and maimed soldiers under the war-risk act, and will need them for many years.

It is in evidence that this Speedway Hospital can be completed in about six weeks, and we recommend that legislation be enacted providing for the acquisition and completion of this hospital under the original proposition of \$2,500,000, together with such alterations and such few additional buildings, if any, as the Public Health Service may require, and that when completed it be operated by the Public Health Service.

A large part of the 17 days devoted by the subcommittee to the taking of evidence was taken up in the hearing of evidence in relation to J. Milton Trainer, an employee of the real-estate section of the Purchase, Storage and Traffic Division of the General Staff, and his business partner, Wallace Clark, concerning whom the assertion was made that they had solicited the sum of \$100,000 for Trainer's assistance in the sale of the Speedway property to the Government under circumstances which indicated that he intended utilizing his employment by the Government, which he had at the time under contemplation, for the purpose of assisting in the sale.

It was also charged that Mr. Trainer, because of the alleged refusal of the said proposal for a commission, either directly or indirectly, undertook to defeat the formal approval of this contract in the office of the Secretary of War. On the latter charge there was no evidence whatever to show that Mr. Trainer in any way exerted or tried to exert such influence to prevent the approval of the contract.

As to the charge that he or his partner, or both of them, solicited a commission, there was much conflict of evidence, and the subcommittee is unwilling to pass upon that question for the reason that early in the proceedings it was brought to our attention that these charges had already been brought to the attention of the Department of Justice, and the subcommittee is informed that that department has the matter under investigation and consideration. Under these circumstances, it seemed to the subcommittee that it would be obviously improper for the subcommittee to make any findings whatever in relation to that charge.

March 3, 1919.

THOMAS W. HARDWICK, *Chairman*.
J. C. W. BECKHAM.
PAK TRAMMELL.
JOSEPH I. FRANCE.
IRVINE L. LENROOT.

To the SENATE COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.



RATIFICATION OF TREATIES



METHODS AND PROCEDURE IN FOREIGN COUNTRIES RELATIVE TO THE RATI- FICATION OF TREATIES

Also

EXTRACTS FROM THE EXECUTIVE JOURNAL
OF THE SENATE RELATIVE TO PRO-
CEEDINGS IN CASES OF TREATIES
REJECTED BY THE SENATE



JUNE 2, 1919.—Referred to the Committee on Printing

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

SENATE RESOLUTION NO. 67.

REPORTED BY MR. MOSES.

IN THE SENATE OF THE UNITED STATES,
June 5, 1919.

Resolved, That the manuscript submitted by the Senator from New Hampshire (Mr. Moses) on June 2, 1919, entitled "Ratification of treaties, method and procedure in foreign countries, and proceedings in the Senate in the case of rejected treaties," be printed as a Senate document.

Attest:

GEORGE A. SANDERSON,
Secretary.

INTRODUCTION.

The material here presented is arranged in two parts. Part I is devoted to the subject of the Ratification of Treaties in Great Britain (including the Dominions), France, Italy, and Germany.

The order of the documents is as follows: In the first place is given a definition of ratification with examples of forms used by various countries, taken from Satow's Diplomatic Practice. Then follows a more particular description of the procedure in several foreign countries, drawn from several sources (extracts and translations) in the following order: Great Britain, France, Italy, Germany. Texts of documents of ratification and in one case narrative of the proceedings attending the negotiations for and conclusion of peace (Franco-Prussian War, 1870), with other illustrative documents complete this part.

The second part consists of transcript of the records of proceedings in the Senate in the rejection of treaties taken from the printed volumes of the Executive Journal.

The change in the form of government in Germany naturally changes the conditions of ratification in that country. The method followed in the past is modified by transferring the ratifying power from the Crown to the Legislature. In Great Britain the Government has announced that "no ratification would take place until the House had approved." This declaration of the Government, as is pointed out by the *Law Times* of London, May 31, 1919, brings about "The great constitutional change from which Mr. Gladstone shrank, on which Sir Edward Grey (in 1913) refrained from definite expression of opinion."

RATIFICATION OF TREATIES

METHOD AND PROCEDURE IN FOREIGN COUNTRIES

GENERAL

RATIFICATION OF TREATIES

[From Satow's Diplomatic Practice.]

TREATIES AND OTHER INTERNATIONAL COMPACTS: RATIFICATION

Ratification: 606. Ratification, what it is. 607. British form. 608. Russian form. 609. German form. 610. French form. 611. United States form. 612. A form to be used between "Governments."

RATIFICATION

606. Ratification is a solemn act on the part of a Sovereign or by the President of a Republic, by which he declares that a treaty, convention, or other international compact has been submitted to him, and that after examining it he has given his approval thereto, and undertakes its complete and faithful observance. The whole text of the treaty, etc., should be reproduced in the instrument, which is signed by him and sealed with the Great Seal, and is countersigned by the minister for Foreign Affairs. This document is exchanged for a similar one given by the other party to the treaty, and the fact of the exchange having been effected is then recorded in a protocol or in a *procès-verbal*. In some countries the exhibition of special full-powers by the officials who make the exchange is insisted on, but as a general rule this is not held to be necessary, the production of the instruments of ratification by a minister for Foreign Affairs or by an accredited diplomatic representative of the other high contracting party being sufficient evidence that the official who tenders it is duly authorized to proceed to the exchange.

In the case of multinational treaties where there are more than two high contracting parties, and each signatory Power has received a counterpart, it exchanges a separate instrument of ratification with each of the other parties. But where only one original text has been signed by all the plenipotentiaries, and deposited in the archives of the State where it was signed, the other contracting parties send their instruments of ratification to the government of that State, which then delivers an "acte d'acceptation" and sends to each of the remaining contracting parties a copy of the whole record.

What circumstances may justify a State in declining to ratify a treaty to which it has become a party is not a question of international law, although writers on that subject discuss it. It is rather one of morals and policy. Where, as in the United States, it is the President under whose direction the Secretary of State concludes and signs the treaty, but ratification is dependent on the advice and approval of the Senate, the refusal to ratify is sometimes consequent on other than the ordinarily recognized motives. In such a case the ratifying power sometimes adds new proposals, which transform the instrument into a new treaty. The other party is justified in refusing to accept the new conditions, or may accept them. This happened in connection with the treaty of 1794 between Great Britain and the United States. The Senate proposed an Additional Article, which was accepted by the British Government.¹ But in 1807 the United States returned the treaty signed in London on December 31, 1806, unratified, and proposed alterations thereto. Canning, who was then Secretary of State for Foreign Affairs, protested against "a practice altogether unusual in the Political Transactions of States," and he announced that the King had no option, under the circumstances, but to acquiesce in the refusal of the President to ratify the treaty in question.² More recently, the first Hay-Pauncefote treaty of 1900 was modified by the American Senate in consenting to its ratification, and in consequence it fell through.³ In countries where the administration is the creation of a parliamentary majority such a contingency is less likely to arise, even when the consent of the legislature is necessary.

In former times it was not the practice to make a reserve of ratification in a full-power. Thus in the British full-power given at page 107, volume 1, there is a promise to hold as *grata, rata et accepta* in the fullest manner, and not to suffer anything to be done, in whole or in part contrary to what the plenipotentiary may have agreed to and concluded. The full power of the King of France similarly undertakes *en foi et parole de Roi, d'avoir agréable, tenir ferme et stable à toujours, accomplir et exécuter ponctuellement, tout ce que le dit Sieur Comte de Vergennes aura stipulé et signé en vertu du présent plein-pouvoir, sans jamais y contrevenir, ni permettre qu'il y soit contrevenu, pour quelque cause et sous quelque prétexte que ce puisse être, comme aussi d'en faire expédier Nos lettres de ratification en bonne forme, et de les faire délivrer, pour être échangées dans le tems dont il sera convenu: Car tel est Notre plaisir.* Likewise, the passage at page 112 of the Emperor's full power, and on page 113 in the full-power of the King of Spain, and in the Dutch full-power at page 114. The modern example of a Belgian full-power, at page 115 also makes no reserve as to ratification, but contains the same undertaking to approve whatever may be stipulated, promised and signed by the plenipotentiary, as the earlier ones already cited, and the Spanish form of full-power at page 116 is worded in much the same manner, except that it contains no promise to ratify. But the more recent form of a British full-

¹ Brit. and For. State Papers, i. 803.

² Brit. and For. State Papers, i. 1187.

³ Mr. J. W. Foster's Practice of Diplomacy as illustrated in the Foreign Relations of the United States has an important chapter on this subject.

power, as at page 117, inserts the words, "*subject if necessary to Our Ratification*," which perhaps may seem to weaken the force of the words "Engaging and Promising on Our Royal Word, that whatsoever things shall be so transacted and concluded by Our said Commissioner, Procurator, and Plenipotentiary, shall [subject, if necessary, etc.] be agreed to, acknowledged and accepted by Us in the fullest manner, and that We will never suffer, either in whole or in part, any person whatsoever to infringe the same, or act contrary thereto, as far as it lies in Our power."

Nevertheless, it was from an early time customary, and was recognized by Bynkershoek as forming an established usage, to look upon ratification by the Sovereign as necessary to impart validity to a treaty concluded by his plenipotentiary, and full powers were interpreted as conferring a general power of negotiating subject to instructions received from time to time, and of concluding agreements subject to the ultimate approval or otherwise of the Sovereign. But it should not be capriciously withheld, and its refusal ought to be justified by solid reasons¹

The practice of reserving the ratification of the Sovereign had formerly its use when the plenipotentiary of one of the High Contracting Parties was negotiating at such a distance that he might perhaps not have time to refer the text of the instrument agreed upon to his Government before signing. In modern times, however, when all the capitals of the civilized world are in telegraphic communication, it is the usual practice for plenipotentiaries to submit the precise wording of the proposed treaty to their Governments for approval before signature, so that to withhold ratification can rarely be justified, except where the negotiating and ratifying authorities are distinct. It may be added that the cases of a refusal to ratify are not by any means numerous. They might be counted on the fingers of two hands.

It will be found on reference to the international compacts given in these chapters, other than those specifically denominated "Treaties" or "Conventions," that sometimes ratification is expressly stipulated. Where this is not done, it is to be inferred that ratification is not obligatory, yet it may sometimes take place even in those cases. In the Index to the British Treaty Series for 1915 there are six instances where ratification is stated to be not required. These six were either Declarations, Accessions, or Agreements. We hold, therefore, that apart from those compacts which bear the title of Treaty or Convention, ratification is only *required* where it is provided for.

History records the reasons which induced the Cabinet presided over by M. Guizot to refuse ratification of the treaty for the suppression of the Slave Trade in 1841. The documents in which this refusal is recorded are given in Satow's Diplomatic Practice, vol. 1, p. 73; vol. 2, pp. 244-246.

The following is a Note in the third person which completes the record in §571 of the refusal of the French Government to ratify the quintuple treaty for the suppression of the Slave Trade, signed at London, December 20, 1841.

LONDON, November 8, 1842.

The Protocol of the 20 [19] of February 1842, remaining open for France, the undersigned, Ambassador extraordinary and plenipotentiary of His Majesty the

¹ Oppenheim, 2nd edit., i. 556; Hall, 6th edit., 323, 4.

King of the French to His Britannic Majesty, has the honor to inform His Excellency the Count Aberdeen, Principal Secretary of State for Foreign Affairs of His Britannic Majesty, according to instructions which he has received, that the Government of the King having taken into consideration the grave and notorious facts, which have come to pass upon this subject in France, has judged its duty to be not to ratify the said Convention. The Undersigned must add, that following orders from his Government, as this ratification will not take place in the future, there exists therefore, so far as France is concerned, no need for the Protocol to remain open.

607. The form of ratification now used by Great Britain is as follows:

George, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India, etc., etc., To all and singular to whom these Presents shall come, Greeting!

Whereas, a ----- between Us and ----- was concluded and signed at ----- on the ---- day of ----- in the year of Our Lord one Lord one thousand nine hundred ----- by the Plenipotentiaries of Us and of ----- duly and respectively authorized for that purpose, which ----- is, word for word, as follows:—]

(Inseratur—in ---- texts -----.)

[And whereas, a ----- between Us and Our said -----, was concluded and signed at -----, on the ---- day of ----- in the year of Our Lord one thousand nine hundred by the Plenipotentiaries of Us and of ----- duly and respectively authorized for that purpose, which ----- is, word for word, as follows:]

(Inseratur in ---- texts -----.)

We, having seen and considered the ----- aforesaid, have approved, accepted, and confirmed the same in all and every one of ----- Articles and Clauses, as We do by these Presents approve, accept, confirm, and ratify ----- for Ourselves, Our Heirs and Successors; engaging and promising upon Our Royal Word that We will sincerely and faithfully perform and observe all and singular the things which are contained and expressed in the ----- aforesaid, and that We will never suffer the same to be violated by any one, or transgressed in any manner, as far as it lies in Our power. For the greater testimony and validity of all which, We have caused the Great Seal of Our United Kingdom of Great Britain and Ireland to be affixed to these Presents, which We have signed with Our Royal Hand.

Given at Our Court of St. James, the ---- day of ----- in the year of Our Lord one thousand nine hundred and ---- in the ---- year of Our Reign.

(Signed.) GEORGE R. I.

608. A Russian instrument of ratification:

Par La Grace de Dieu Nous Nicolas II, Empereur et Autocrate de toutes les Russies, de Moscou, Kiow, Wladimir, Novgorod [sic]; Tsar de Casan, Tsar d'Astrakhan, Tsar de Pologne, Tsar de Sibérie, Tsar de la Chersonese Taurique, Tsar de la Géorgie, Seigneur de Plescow et Grand Duc de Smolensk, de Lithuanie, Volhynie, Podolie et de Finlande; Duc d'Estonie, de Livonie, de Courlande et Semigalle, de Samogitie, Blalostock, Carelie, Twer, Jugorie, Perm, Viatka, Bolgarie et d'autres; Seigneur et Grand Duc de Novgorod-Inférieur, de Czernigow, Riasan, Polotzk, Rostow, Jaroslaw, Bélosersk, Oudor, Obdor, Condie, Witepsk, Mstislav, Dominateur de toute la contrée du Nord; Seigneur d'Jberie, de la Cartalinie, de la Cabardie et de la province d'Arménie; Prince Héritaire et Souverain des Princes de Circassie et d'autres Princes montagnards; Seigneur du Turkestan; Successeur de Norvège, Duc de Schleswig-Holstein de Stormarn, de Dithmarsen et d'Oldenbourg, etc., etc., etc. Savoir faisons par les présentes qu'à la suite d'un commun accord entre Nous et Sa Majesté Le Roi des Belges Notre Plénipotentiaire a conclu et signé le 17/30 novembre 1904, une convention d'arbitrage obligatoire ainsi qu'une déclaration additionnelle y annexée, relative au maintien de tous les droits et obligations résultant pour les Hautes Parties contractantes du traité du 19 avril 1839, qui garantit l'indépendance et la neutralité de la Belgique, qui portent mot pour mot ce qui suit:

[Text of the Convention and Declaration.]

A ces causes, après avoir suffisamment examiné ces convention et déclaration. Nous les avons agréées, confirmées et ratifiées, comme par les présentes Nous les agréons, confirmons et ratifions dans toute leur teneur, promettant sur Notre parole Impériale, pour Nous, Nos Héritiers et Successeurs que tout ce qui a été stipulé dans les Actes sus mentionnés sera observé et exécuté inviolablement. En foi de quoi Nous avons signé de Notre propre main la présente ratification Impériale et y avons fait apposer le sceau de Notre Empire. Donné à Péterhof, le 27 juillet de l'an de grâce mil neuf cent cinq et de Notre règne la onzième année.

(L. S.)

NICOLAS.

Contresigné: le Ministre des Affaires Etrangères, Secrétaire d'Etat: Comte Lamadorff.¹

609. A German example:

Wir Wilhelm von Gottes Gnaden Deutscher Kaiser, König von Preussen usw. Urkunden und bekennen hiermit: Nachdem von Unserem Bevollmächtigten und dem Bevollmächtigten Seiner Majestät des Königs des Vereinigten Königreichs von Grossbritannien und Irland und der Britischen Überseeischen Lande, Kaisers von Indien, am 17 August 1911 in Berlin ein Vertrag zwischen dem Deutschen Reiche und Grossbritannien über die gegenseitige Auslieferung von Verbrechern zwischen Deutschland und gewissen britischen Protektoraten unterzeichnet worden ist, und nachdem dieser Vertrag, der wörtlich also lautet:

(Text of Treaty.)

Uns vorgelegt und von Uns geprüft und in allen Stücken Unseren Absichten gemäss befunden worden ist, so erklären Wir, dass Wir den vorstehenden Auslieferungsvertrag genehmigen und ratifizieren, auch versprechen, ihn erfüllen und ausführen zu lassen.

Zu Urkund dessen haben Wir die gegenwärtige Ratifikationsurkunde vollzogen und mit Unserem Insiegel versehen lassen.

Gegeben, Neues Palais, den 16 Dezember, 1911.

(Signed)

WILHELM I. R.
KIDERLEN.

610. A French example:

Raymond Poincaré, Président de la République Française. A tous ceux qui ces présentes Lettres verront, Salut:

Une Convention Radiotélégraphique Internationale et ses Annexes ayant été arrêtées à Londres, de 5 juillet 1912, Convention et Annexes dont la teneur suit:

(Text of Convention.)

Ayant vu et examiné les dites Convention et Annexes, Nous les avons approuvées et approuvons en vertu des dispositions de la Loi votée par le Sénat et par la Chambre des Députés; Déclarons qu'elles seront acceptées, ratifiées, et confirmées et Promettons, qu'elles seront inviolablement observées.

En Foi de Quoi, Nous avons donné les présentes, revêtues du Sceau de la République.

A Paris, le 22 janvier 1914.

(L. S.)

(Signed)

POINCARÉ.

Par Le Président de la République: Le Président du Conseil, Ministre des Affaires Etrangères.

(Signed)

611. An United States example:

William Howard Taft, President of the United States of America, To All To Whom These Presents Shall Come, Greeting:

Know Ye, That whereas a Treaty between the United States of America and the United Kingdom of Great Britain and Ireland providing for the preservation and protection of the fur seals, was concluded and signed by their respective

¹ Traité Général d'Arbitrage, 1ère série. La Haye, 1911, 88.

Plenipotentiaries at Washington on the seventh day of February, one thousand nine hundred and eleven, a true copy of which Treaty is word for word as follows:

(Text of Treaty.)

And Whereas, the Senate of the United States by their resolution of February 15, 1911 (two-thirds of the Senators present concurring therein) did advise and consent to the ratification of the said Treaty;

Now Therefore, be it known that I, William Howard Taft, President of the United States of America, having seen and considered the said Treaty, do hereby, in pursuance of the aforesaid advice and consent of the Senate, ratify and confirm the same and every article and clause thereof.

In Testimony Whereof, I have caused the seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington this sixth day of March in the year of our Lord one thousand nine hundred and eleven, and of the Independence of the United States of America the one hundred and thirty-fifth.

(L. S.)

(Signed) Wm. H. Taft.

By the President—

HUNTINGTON WILSON,
Acting-Secretary of State.

612. Form of ratification of an international compact concluded between Governments:

Whereas a-----between-----Government and the Government of----- (or governments therein mentioned) relating to----- was signed at----- on the ___ day of ----- 19___ which----- is, word for word, as follows:

(Inseratur—in texts—)

H.----- M. (or the -----) Government, having seen and considered the----- aforesaid, approve, accept, confirm, and ratify it, engaging and promising sincerely and faithfully to perform and observe all and singular the things which are contained and expressed in the----- aforesaid.

In witness whereof H.----- M. (or the -----) Secretary of State (or, Minister) for Foreign Affairs, has signed these presents and has affixed thereto his seal.

Done at ----- the ----- day of ----- 19---

BRITISH

TREATY MAKING AND RATIFICATION IN GREAT BRITAIN

INTRODUCTION

As will appear from the following abstracts from writings on English constitutional history, the British Parliament has rarely taken part in the ratification of treaties. This is generally regarded as the constitutional method,—that is, the government and the government alone ratifies.

There have been a few instances where the Parliament has been a party to the ratification and in such cases it has been especially stipulated in the treaty; notably, for example, the Treaty for the cession of Heligoland, which contained the following provision:

Whereas an Agreement, dated the first day of July, one thousand eight hundred and ninety, has been concluded between Her Majesty the Queen and His Majesty the German Emperor, whereby, amongst other things, it was provided by the provisions set out in the schedule to this Act that, subject to the assent of Parliament, the Sovereignty of the Island of Heligoland, together with its dependencies, should be ceded to His Majesty the German Emperor. * * *

Then the Anglo-French Convention Act of 1904 contained a similar provision (after naming the plenipotentiaries):

Who, after having communicated to each their full powers, found in good and due form, have agreed as follows, subject to the approval of their respective Parliaments. * * *

On that occasion, in 1904, in answer to a query, the Prime Minister, Mr. A. J. Balfour, stated that submission to the House of Commons for approval was "not the constitutional practice of this country."

There seems to be a disposition to depart from the practice of the past in the case of the peace treaty now under consideration with Germany.

Lloyd-George made the following statement in the House of Commons, on February 11, in regard to treaty ratification:

The third question asked about the Peace Conference was whether the Treaty will be placed upon the Table of the House before ratification. I believe that is the ordinary course. Of course, subject to the ratification of the Treaty, the representatives of this country will follow the same course as the representatives of every other country and provisionally sign the Treaty at the Peace Conference. The Treaty will undoubtedly then be placed upon the Table of the House for ratification. I believe constitutionally there are parts of the Treaty which must be placed upon the Table of the House by the Constitution of this country. If the House of Commons chooses to repudiate the Treaty the House of Commons is all powerful.

His statement that this was the ordinary practice was not in accordance with the history of treaty negotiations in Great Britain. The *Law Times* (London) of February 22, 1919, calls attention to this:

The Prime Minister is in error in thinking that treaties are usually laid before the House of Commons before their ratification. There has been a very marked desire to exclude Parliament from knowledge of contemplated treaties. To give two recent instances: The Japanese Treaty was agreed to on the 20th Aug. 1905, and, as Parliament was prorogued on the 12th Aug. never to meet again, but to be dissolved six months afterward, that treaty was kept from Parliamentary criticism. Then, again, the treaty between Russia and England in reference to Persia was, so far from being laid before Parliament, not signed till three days after Parliament had risen, with a view to the prevention of Parliamentary discussion. Mr. Lloyd-George's statement that he believes "constitutionally that there are parts of the treaty which must be placed on the Table of the House of Commons by the Constitution of this country" refers to the supposed limitation of the power of the Crown to make treaties without the consent, not of the House of Commons, but of Parliament, embodied in a statute for the cession of territories and Great Britain, it must be remembered, has acquired German territories in this war.

This is in contradiction to the statement made by Bonar Law in the House of Commons in October, 1918:

Sir R. Cooper asked the Prime Minister if he intends to take steps to secure that any agreement for peace shall in general principles be in accordance with the wishes of the majority of the Members of this House; and, if so, can he say what those steps will be?

Mr. BONAR LAW. The Government must, I think, be the interpreter of the views of the House and the nation in this matter.

And again on the 13th of February, 1919, the following colloquy occurred:

Col. Yate asked the Prime Minister whether the international treaty embodying the League of Nations will be submitted to the judgment of Parliament before it is concluded?

Mr. Lambert asked the Prime Minister if the British Delegation to the Peace Conference in Paris will have plenary powers to bind this country in the matter of peace terms, or whether such terms will be subject to the final ratification of Parliament.

Mr. BONAR LAW. The Treaty will be signed by the delegates of the Powers concerned, but so far as the British Government is concerned it will not be ratified until it has been laid upon the Table and Parliament has an opportunity of expressing its opinion.

Mr. LAMBERT. Will Parliament have the power of altering the Treaty when it is laid upon the Table?

Mr. BONAR LAW. I am really rather surprised that the right hon. Gentleman should put that question. Does he really think it possible that any Treaty could ever be arranged in the world if something like twenty Powers are to discuss the details of it? It seems to me quite impossible.

Sir C. HENRY. Will it be submitted to Parliament before it is presented to the enemy countries?

Mr. BONAR LAW. Oh, no; I can not say that. The Treaty will presumably, after it has been arranged by the Allies, be signed by the enemy countries.

Mr. BILLING. Directly it is signed the Peace Conference will be dissolved, and there will be no court of appeal in the event of the House refusing to ratify?

Mr. BONAR LAW. That may happen, but it is hardly necessary to look so far into the future.

According to statements made by Mr. Bonar Law in the House of Commons on May 20, the disposition of the Government has changed, because, in answer to questions, Mr. Bonar Law closed a colloquy by the following statement:

Before the Treaty is ratified the assent of Parliament will be obtained. That is all that can be done.

And again on May 23, 1919:

Oh, no. Long ago many questions were put to me on this subject, and I gave exactly the same answer as I have given to-day. I gave an undertaking that no ratification would take place until the House had approved. More than that, in my opinion, it would be impossible to do.

This declaration of the Government, as is pointed out by the *Law Times* of London, May 31, 1919, brings about "The great constitutional change from which Mr. Gladstone shrank, on which Sir Edward Grey (in 1913) refrained from definite expression of opinion." It is to be observed that no such change in the Constitution equaling this in importance has hitherto taken place without Parliamentary action—the Government alone bringing about the change.

The Declaration of London was not submitted *pro forma* to the Parliament for approval but the Naval prize bill which embodied legislation essential to the operation of the Declaration was passed by the Commons but rejected by the Lords. So the Declaration was not ratified by the Government.

It is to be noted, however, that the Government rejected the idea that the Declaration required the approval of the Parliament.

On the 18th of November, 1910, the Prime Minister (Mr. Asquith) declared that "the ratification of the Declaration is not subject to the approval of this House. It will not now be possible to bring these questions before Parliament this year." Pressed for an answer as to when an opportunity would be given for the House to decide whether the Declaration should be ratified or not, he replied: "The Declaration does not require the approval of Parliament. But it has already been made abundantly clear that Parliament will have full opportunity to discuss its provisions before His Majesty is advised to ratify it."

WAR, PEACE, AND TREATIES

[From Anson's *Law and Custom of the Constitution*.]

The prerogative of making war:

The King, acting on the advice of his Ministers, makes war and peace. The House of Commons may refuse supplies for a war, or either House may express its disapproval by resolutions condemnatory of the ministerial policy, or by address to the Crown, or by making the position of the ministry in other ways untenable; but Parliament has no direct means either of bringing about a war or of bringing a war to an end.

How far controlled by Parliament.

Nor does a decided expression of opinion by the House of Commons always overbear the policy of a ministry. In 1782 a resolution of the House of Commons, followed by an address to the Crown, caused Lord North to take steps to end the war with the American colonies;¹ but in 1857 a resolution of the same House, condemnatory of the war with China, caused Lord Palmerston to appeal to the country, with the result that the electors affirmed his policy and returned a majority of his supporters to Parliament.

¹ Cobbett, *Parl. Hist.*, xxii, pp. 1084, 1214.

Peace and treaties.

The prerogative of the Crown in making peace is so much involved in questions as to the prerogative in making treaties that the two must be dealt with together. Parliament has only indirect means of bringing a war to a close, but it is hard to conceive of a peace concluded simply by a cessation of hostilities and mutual assurances of amity. Some engagements must be entered into, liabilities incurred, territory acquired or ceded, and a question arises in this form: No one but the King can bind the community by treaty, but can he always do so without the cooperation of Parliament? It would seem to follow from the general principles of our constitution that a treaty which lays a pecuniary burden on the people or which alters the law of the land needs Parliamentary sanction. If it were not so the King, in virtue of this prerogative, might indirectly tax or legislate without consent of Parliament.

Limits on power to make treaties.

Questions arise, however, in relation to this prerogative which need fuller consideration. Can the King cede territory by treaty without consent of Parliament, or can he confer immunities on foreigners, or affect the rights of private individuals except with such consent?

Cession of territory.

The cession of territory is a matter "in regard to which the practice of consulting Parliament has varied widely from time to time"; but the tendency has been undoubtedly in the direction of obtaining the sanction of Parliament more regularly, and not merely by an address to the Crown, or a vote signifying approval, but making the treaty or convention conditional on the approval of Parliament and by the embodiment of the provisions relating to the cession in the schedule of a Statute.

In the eighteenth century the exercise by the Crown of this prerogative was unquestioned, but ministers might suffer if a mistake was made. Blackstone says:

A king may make a treaty with a foreign state which shall irrevocably bind the nation; and yet when such treaties have been judged pernicious, impeachments have pursued those ministers by whose agency or advice they were concluded.

In 1783.

The peace of 1783 involved not merely the cession of Minorca and Florida, but the surrender of the sovereignty over the American colonies to those who had up to that time been subjects of the Crown. No statutory sanction was obtained for these cessions, beyond an act which empowered the King to conclude a peace or truce with the Colonies, and for that purpose to annul or suspend any Acts of Parliament which related to those colonies. Nothing is said of surrender of sovereignty or cession of territory. In the Addresses, moved in the two Houses, of thanks to the King for the conclusion of peace with France, Spain, and the American colonies, Lord Loughborough expressed himself as convinced that the King had exceeded his prerogative by the cessions of territory involved, but he was flatly contradicted by Lord Thurlow. No one in either House

followed up the discussion on these lines, nor do the noble Lords themselves appear to have been much impressed with the force of their own arguments, which were designed for party ends.

In 1854—Suggested limitations of prerogative.

The same sort of question was raised when the sovereignty of the Orange Free State was abandoned in 1854,¹ but it should be noted that the Attorney-General, Sir A. Cockburn, expressly defended the transaction on the ground that the territory in question had been acquired by conquest. He drew a distinction between a colony so acquired and one acquired by settlement, or, as he called it, "by occupancy." Under such circumstances

he was aware that there existed considerable difference of opinion as to whether the Crown had the power of getting rid of those territories otherwise than by an Act of the Legislature. On the other hand, with regard to colonies acquired by conquest and by cession, it was clear that the Crown had an undisputed and absolute sovereignty over them, and that the persons there did not acquire any right to the laws and institutions of this country.

The cession of sovereignty to the Orange Free State took place without further question, but the limits on the prerogative in this matter have been since then from time to time considered in Parliament or discussed by eminent legal authorities. Starting from the point indicated by Sir A. Cockburn, and assuming that the King may cede territory acquired by conquest or cession, it has been maintained that his powers may be limited even in the case of such territories if they have been the subject of legislation by the Imperial Parliament, or if the King, by his own act, in conferring upon them representative institutions, has put it out of his power to legislate by Order in Council. The prerogative of cession, if this view is correct, would be coextensive with the right to legislate by Order in Council.

There seems, however, to be a consensus of opinion that at the close of a war, and for the purpose of concluding a peace, the prerogative of cession is wider than it would be in time of peace.

We must look for authority to judicial decision and the practice of the State, and this practice is guided, we must presume, by the opinions of the legal advisers of the Crown.

Judicial decision.

Of judicial opinion there is but little. In 1876 a case came before the Judicial Committee of the Privy Council on appeal from the High Court of Bombay. That Court had held, for the purposes of a judgment in a particular case, that territory had been ceded, and that the Crown had no power to make such cession in time of peace without consent of Parliament. The Judicial Committee reversed the judgment of the Indian Court, and while holding that what had taken place did not amount to a cession, expressly stated that their Lordships entertained grave doubts "as to the soundness of the general abstract doctrine laid down" on this question of the prerogative of cession.

It should be observed that this is an Indian Appeal, and I believe that there is a mass of precedent for cession of territory in our Indian Empire, to which no Parliamentary assent was given, ranging

¹ Hansard, 3rd Series, vol. cxxxiii, p. 82.

over a long period of years and reaching comparatively recent times. This seems to show that we cannot draw precedents from this portion of the King's dominions.

Practice of State.

There remains the practice of the State, and here we find two remarkable modern instances of the submission to Parliament of the terms of a treaty already negotiated by the Ministers of the Crown.

Case of Heligoland.

In 1890 Queen Victoria, in concluding a treaty with the Emperor of Germany, which provided among other things for the cession of Heligoland to the Emperor, was advised by her Ministers to make the cession conditional on the approval of Parliament. This invitation to Parliament to share in the exercise of the prerogative rights of the Crown, and therewith to assume the responsibilities of the Executive, was much criticized in debate. The views of the Opposition were thus forcibly stated by Mr. Gladstone:

There is one thing which I think is still higher than the *dicta* of legal authorities, in this important question, and it is our long, uniform, and unbroken course of practice. It is one thing to stand upon the opinion of an ingenious or even a learned man; it is another thing to cite the authority of an entire State, signified in practical conclusions, after debate and discussion in every possible form, all bearing in one direction and stamped with one and the same character. It is hardly possible, I believe, to conceive any kind of territory—colonies acquired by conquest, colonies acquired by settlement, with representative institutions or without representative institutions—it is not possible to point out any class of territory where you cannot show cases of cession by the Crown without the authority of Parliament.¹

Mr. Gladstone was doubtless right in his statement as to the facts of cession, though "debate and discussion" can hardly be said to have been as exhaustive as he described them. Mr. Balfour spoke of the question as being "in a nebulous condition," but asserted that "eminent legal authorities consulted specifically" had maintained the necessity for Parliamentary assent. Mr. Goschen admitted that the course taken by the Government was a departure from practice, and did not involve the proposition "that the assent of Parliament is indispensable to treaty making or even to a cession of territory."

The Anglo-French Convention.

The course taken in 1890 was followed in the case of the Anglo-French Convention in 1904, in which various points at issue between the two countries were settled on terms which involved cessions of territory to France. No question was raised in either House of Parliament, except as to the expediency of the terms, when the Bill which embodied the Convention was under discussion.

We seem, then, to be drawn to this conclusion, that apart from precedents relating to Indian territory, it has of recent years been thought desirable, if not necessary, that the consent of Parliament should be given to the cession of territory in time of peace. Cessions made at the conclusion of peace or in course of a war, or of lands acquired by conquest or cession, for which Parliament has not legislated, and for which the King has not by his own act deprived himself of the power of legislating by Order in Council, would seem to

¹ Hansard, vol. cccxlvii, p. 764.

stand on a different footing. We can but follow the practice of the State, and this must be taken to accord with the best legal advice which the King's Ministers can obtain.

But the expediency of embodying treaties of this character in Bills submitted to Parliament is still an open question. Parliament can always express its disapproval of a treaty, or Ministers can, if they are strong enough in Parliamentary support, obtain an expression of approval. It may be doubted whether Ministers ought not to be prepared to accept the responsibility of the exercise of the treaty-making power by the Crown, and whether the ratification of a treaty should be dependent upon the goodwill of a popular assembly.

In support of the view that such treaties should be submitted to Parliament is the fact that cession of territory necessarily affects the rights and duties of the dwellers on the ceded territory. It affects their nationality, either by the extinction of the state under whose sovereignty they lived, or by the transfer of that portion of the country in which they lived to another sovereign. The first case is illustrated by the transformation of the Orange Free State, an independent political society, into the Orange River Colony, a part of the King's dominions. The second by the transfer of Heligoland from England to Germany.

In the first case it is usual to allow those who would avoid their new nationality to leave the conquered state:¹ in the second case provision may be made by treaty or otherwise for those who desire it to retain their old nationality. But in all such cases, as it would seem, specific provision must be made if the effect of cession in changing the nationality of the dwellers on the ceded lands is to be averted.

And the King by cession of territory can not only change the nationality of his subjects, but can affect in some respects their civil rights. Thus, if a question was in issue between an inhabitant of the ceded territory and his Government in respect to rights over land in that territory, the remedy of the inhabitant, if transferred at all, would be transferred from the old to the new sovereign.² But a demand in the nature of a money claim against the old Government, even if it were a part of the public debt, could only be transferred to the new Government by the terms of a treaty, or by a novation involving the action of all three parties, the two Governments and the claimant.

Charges on subject—Changes in law.

The assumption by this Government of any portion of the public debt of a country acquired by cession would lay a charge, or might do so, on the subjects of this country, and a definite and well-recognized limit on the treaty-making power of the Crown is found in the rule above mentioned, that where a treaty involves a charge upon the people, or a change in the general law of the land, it may be made, but cannot be carried into effect without the consent of Parliament.

¹ The case of a foreigner, naturalized in the conquered state, who has not lost his own nationality, can be met by permission to declare an intention to retain that nationality, to revert to his domicile of origin, and remain a foreigner, in the conquered state.

² It does not follow that they would be transferred at all. *Cook v. Sprigg*, 1899, A. C. 57.

Treaties which thus affect the rights of the King's subjects are made subject to the approval of Parliament, and are submitted for its approval before ratification, or ratified under condition.

Such are treaties of commerce which might require a change in the character or the amount of duties charged on exported or imported goods: or extradition treaties which confer on the executive a power to seize, take up, and hand over to a foreign state persons who have committed crime there and take refuge here.¹

Grant of immunities.

The right of the Crown, by treaty merely, to extend to foreigners immunities from the law of the land, which would affect the private rights of citizens, was raised in the case of the *Parlement Belge*.²

It was alleged in that case that Queen Victoria had, by convention with the King of the Belgians, conferred upon a ship, assumed by the Court to be a private ship engaged in trade, the immunities of a public ship, or ship of war, so as to disentitle a British subject from proceeding against her for injuries sustained in a collision. Sir Robert Phillimore held that the treaty-making prerogative did not extend this length, and gave judgment against the ship.³ His decision was reversed by the Court of Appeal⁴ but on a different ground, namely, that the *Parlement Belge* was a public ship, although not a ship of war, being used for a national purpose, the transmission of mails. The Court carefully abstained from expressing any opinion on the point on which Sir Robert Phillimore mainly rested his judgment.

The same question was raised and evaded in *Walker v. Baird*.⁵ The working of a lobster-factory on the coast of Newfoundland was stopped by an officer entrusted with the enforcement of an agreement made between the Crown and the Government of France. The owner of the factory brought an action, and it was held to be no defence to allege that the conduct of the officer was "an act of state." Whether or no it could be justified by the treaty-making power of the Crown was discussed but not settled, inasmuch as the statement of defence assumed that the mere allegation that the acts were done in pursuance of a treaty took the matter out of the cognizance of the Court. This was not the view of the Judicial Committee. It was admitted that the Crown

could not sanction an invasion by its officers of the rights of private individuals whenever it was necessary in order to compel obedience to the terms of a treaty.

Whether the power contended for does exist in the case of treaties of peace, and whether if so it exists equally in cases akin to a treaty of peace, or whether in both or either of these cases interference with private rights can be authorized otherwise than by the Legislature, are grave questions upon which their Lordships do not find it necessary to express an opinion.

¹ Forsyth, Cases and Opinions in Constitutional Law, 369.

² L. R. 4 P. D. 154-5.

³ L. R. 4 P. D. 154.

⁴ L. R. 5 P. D. 197.

⁵ [1892] A. C. 491.

THE FOREIGN OFFICE AND THE HOUSE OF COMMONS

By SIR FREDERICK POLLOCK

In considering the relations between the Foreign Office and Parliament three points of view must be distinguished: that of strict legality, that of constitutional usage, and that of parliamentary practice not reducible to rule. Under the first head there is no difference between the Foreign Office and any other department of which a Secretary of State is the Chief. Under the second there is a difference, though here, as in all other matters of the same kind, exact definition is hardly attainable. Under the third there are peculiar features of some importance, depending not on the formal constitution of the department but on the nature of the business it has to do.

We have to bear in mind throughout that in our modern constitution there are two quite different kinds of executive power. First, there is the King's old undefined authority, so far as it has not been abrogated or limited by statutes or tacitly abandoned by long disuse; this, it is hardly needful to state, has long been exercised by Ministers answerable to Parliament. Then there is the long and still increasing list of special powers conferred by Parliament on the King in Council, on Secretaries of State, and on many other executive officers and administrative bodies for purposes of both central and local government. In the Foreign Office, and I think there alone, the main part of the driving power is supplied by the ancient common-law prerogative; the mechanism of Orders in Council by which the foreign jurisdiction of the Crown is worked is a very special matter, which we have not to consider here. In some departments, as in the Home Office, we find a mixture of the two methods with statutory powers predominating. Departments of recent parliamentary creation like the Local Government Board derive their authority wholly from the statutes which establish them. In every case, however, all acts of State are subject, irrespective of their formal character, to parliamentary criticism and control, enforced, in the last resort, by the legal right of the House of Commons to refuse supplies, but more commonly and effectually by its constitutional power of dismissing a Government in which it has ceased to have confidence.

The Secretary of State for Foreign Affairs is in exactly the same position, in point of law, as the other Secretaries of State. Any one of them can perform the duties of any other, and this power is often found convenient for the transaction of minor departmental business, for all the Secretaries of State cannot always be at their posts. The Secretaries of State "are all appointed, as the single Secretary of State formerly was, by mere delivery to them of the seals of office, each being capable in point of law of performing the duties of all the

departments." So it was declared in 1855 by the judgment of the Court of Queen's Bench in *Harrison v. Bush*, 5 E. & B., p. 352, which further points out that transfer to another Secretary of State's department is therefore not such acceptance of a new office of profit under the Crown as vacates a seat in the House of Commons. (See for a further account, Anson, "The Law and Custom of the Constitution," Vol. 2, Pt. 1, 163-168.) Technically there are not several offices, but joint holders of one office, and the distribution of work among them (except where affected by special statutory provisions) is only matter of administrative arrangement. Moreover, there is no difference in legal quality between one executive act and another, however widely the degrees of their importance may differ. Declaration of war upon a Great Power, conclusion of an extradition treaty with a Central American State, appointment of a vice-consul, are all the King's acts within his lawful authority, performed by the Secretary of State as his servant; and courts of justice knew nothing more about them, nor in particular what the House of Commons may have to say to any of them or the possible political consequences. We may, therefore, dismiss the strictly legal aspect as not relevant to our question.

In the matter of constitutional usage, the King's relation to his Ministers is the main point. He is bound to follow their considered advice, but he is entitled to have full information of all important proceedings and to discuss ministerial proposals in the light of that information. The Sovereign's right is the same in all departments, but with regard to the Foreign Office its exercise is of peculiar importance by reason of the King's special facilities for semi-official communication with foreign princes and rulers and their envoys personally accredited to him. Such communications are made with the knowledge of the Prime Minister, the Foreign Secretary, or both. Thus the Sovereign has in this department a considerable field for using legitimate influence and giving personal assistance to his Ministers; but they alone are answerable in Parliament for whatever action is finally taken, and the rule that the Sovereign's name must not be introduced in parliamentary discussion is no less applicable here than in all other affairs of State. In particular, the King sees all important outgoing despatches; Queen Victoria was very firm on this point, and rightly (Anson, *op. cit.* 43, 44). The residual executive power of the Crown—that is, in modern practice, of the Cabinet—is greater in foreign affairs than in any other branch of government. Even the cession of British territory is still formally within the prerogative. In 1890 Parliament was consulted by the Unionist Government of the day when Heligoland was ceded to Germany: Mr. Gladstone protested that this was an innovation, but it seems likely that the precedent will hold in the future. (For details see Anson, *op. cit.*, Pt. 2, 106-7.) War and peace, the making of treaties, participation in international conferences and ratification of the resulting conventions, the constitution and administration of the diplomatic service, are all in the executive department; there is no co-ordinate authority resembling that of the Senate in the United States. Treaties are executed in the King's name under the Great Seal, and when the negotiations have been carried on by a Dominion Government (now a recognized practice in matters of commercial relations

between some of the Dominions and foreign countries) this makes no difference to the form. All is ultimately subject, of course, to parliamentary criticism and censure; but there is no custom or understanding that Parliament shall be consulted beforehand in any class of foreign affairs. It is to be observed that down to the end of the nineteenth century it was the tradition of British foreign policy not to enter into any definite alliance in time of peace, and therefore no need was felt for any special safeguard in that direction. Obviously no prudent Ministry would venture on any new departure in foreign policy without being, in one way or another, assured of its ground. Certainly it may be said, and I think with too much truth, that attention to these matters in the House of Commons has been neither so continuous nor so competent as it ought to have been. That has nothing to do with the system. Ignorance and indifference in the House merely reflect the same state of mind in the constituencies. There has always been a group of well-informed members; in the last generation, for example, Lord Arthur Russell, Cartwright, Kinglake, Grant Duff; but they have never been numerous or made much impression on the public. In the case of one man rather junior to these, Sir Charles Dilke, exceptional command of knowledge in this kind was joined with a large measure of general parliamentary ability and popular as well as expert statesmanship. I do not remember any other such case. The mass of electors know very little and care less about anything that does not visibly come home to them at their own doors; and it is not only the Foreign Office that for this reason lacks the tonic of rational criticism. Indian affairs are in no better plight, although the conditions are in some ways more favourable.

All things considered, the directors of British foreign policy for the last twenty or thirty years rather deserve commendation for their success in keeping in touch with public opinion so far as there can be said to be any public opinion. Right or wrong, the anti-Russian diplomacy of the nineteenth century was not unpopular; rightly, as almost all of us think, the Entente policy of later years, and our cordial relations with the United States, have been popular.

As for the charges made against the Foreign Office in general terms of involving the nation in onerous engagements without the knowledge or consent of Parliament, I do not believe they have ever been verified in our time. The nearest approach to an example is the defensive treaty with Japan. Its conclusion, as was well known at the time or shortly afterwards, was a matter of urgency; there was no serious opposition when it was published, and the wisdom of making it has been abundantly justified by events.

Coming now to the relations between the Foreign Office and the House of Commons in current parliamentary usage, apart from any legal or constitutional question we find that the lack of general intelligence and comprehension already noted has led to much time being wasted on petty curiosity and carping censure of details with small profitable results. The Department is in a special manner exposed to captious questionings by the nature of the work it has to do. Our Minister here and our envoys abroad are in constant communication with foreign Governments and inevitably possessed to some extent of other people's secrets as well as our own; and to that extent reticence is a matter, not of policy, but of obligation. It is easy

to say there ought to be no secrets, but no man can say it advisedly and honestly who is acquainted at first hand with the conduct of any kind of important business, public or private. Is there any political association, shipping or railway company, or any corporate body with interests beyond a narrow local radius whose directors would consent to hold office on the terms of being bound to inform all their members, let alone the public at large, of the details of all their transactions at every stage? As a matter of fact, nothing gets done—hardly so much as a private marriage settlement or a contract for the sale of a few acres—without informal preliminary talk and correspondence, of which great part—as it is not, and is not meant to be, binding on either party—is not recorded. If foreign rulers had to be warned that whatever passes between their representatives and ours is liable to be called for in the House of Commons, and must be produced if demanded, the House would soon find that the amount of information at its disposal was very small indeed. Under any system of government the department of foreign affairs is unique in that it exists for the special purpose of communication and co-operation—and not only in political, but in commercial and other strictly business matters—with independent Powers over whom it has no control, and whose confidences it is bound to receive and respect as the first condition of obtaining any result at all.

I must not pursue this topic further, but of two things I am sure. One is that the cry for what is called democratic control of foreign policy is rooted in the wholly fallacious assumption that democratic States are uniformly or eminently pacific in their external relations; the other that, if those who demand it could have had their way during the last twenty or thirty years, we should more than once have been in imminent peril of war with at least one of our present allies.

There is yet another substantial reason for the position of the Foreign Office in face of the House of Commons being peculiar; the intimate connection of the Foreign Secretary's work with the Prime Minister's. The Government is responsible for all departmental action, but in a very special manner for that of the Foreign Office as being wholly executive and to a large extent discretionary. Therefore the Prime Minister, as the head and front of Ministerial responsibility, has to be in constant and particularly close touch with the Secretary of State for Foreign Affairs. Other departments, performing administrative duties under statutory regulations, can and do run of themselves for most of their ordinary purposes; not so the Foreign Office. In practice, under our normal scheme of Cabinet Government (for it is too soon to generalise from war conditions, nor is this the occasion to speculate on eventual permanent changes), the direction of foreign affairs is much more with the Premier and the Foreign Secretary than with the Cabinet as a whole. Here is an independent ground, and a good one, for parliamentary vigilance. But that vigilance can not be exercised to good effect without adequate information (I do not mean information of secret matters) and enlightened intelligence. Neither can we, on the whole, expect Members of Parliament to be more instructed or interested in foreign or other affairs than their constituents require them to be. We come round, therefore, to the need for educating public opinion;

to this end the press can do something, perhaps much; but the only sure way is to begin the process in our schools. Modern history must finally cease to be a secondary and dull examination subject ending with the Congress of Vienna. Here again, however, temptation to digress must be resisted.

One immediate plan for the better instruction of the House of Commons, the formation of a standing committee on foreign affairs in which all parties should be represented, has able advocates. I have not such acquaintance with parliamentary procedure as would justify me in expressing any confident opinion of its working. But, in view of the promised reform of the House of Lords, I would humbly submit that it may be fit for consideration whether, if any such committee is desirable and practicable as an official institution, it might not be to the public advantage to make it a joint committee of both Houses.

"SECRET DIPLOMACY."

[From Jenks: *The Government of the British Empire.*]

A more serious question arises in connection with "secret diplomacy" generally, that is, the conduct of foreign negotiations unknown to Parliament or people, which may involve the Empire in the gravest responsibilities. It is, of course, true, that no such negotiations which involve any alteration in the law can be effective until they have been sanctioned by Act of Parliament; such, for example, as the Foreign Copyright Acts, which gave effect to the various "conventions" with foreign countries on that subject. It is true, also, that, by refusing to vote the money necessary to carry out obligations thus incurred, Parliament can, in effect, render them inoperative. But the Crown is, by the law of the Constitution, the sole representative of the Empire to the outside world; and to repudiate negotiations entered into in its name would deal a severe blow at British reputation and credit abroad, while, even in such vital matters as the cession of territory and the declaration of war and the conclusion of peace, the Crown claims the legal right of acting without the consent of Parliament.

In practice, no doubt, the position is not so dangerous as it seems. For Foreign Ministers have a wholesome dread of Parliamentary condemnation; while the necessity for the formal approval of a treaty by Parliament, as in the case of the Senate of the United States, is attended by some serious drawbacks. The same objection applies to all open negotiations. Crises which, if handled confidentially, can be discreetly averted, are apt to become distinctly more unmanageable when they are discussed in public with the aid of an excited Press, bent on arousing the passions of its readers. The sanest proposition for dealing with what is, admittedly, a difficult problem in statesmanship, appears to be the appointment, at the commencement of each Parliament, of a Joint Committee on Foreign Relations, composed of representatives of all parties, to which the Foreign Secretary should continually report in confidence the progress of international negotiations. A seat on such a committee would naturally be an object of ambition with the ablest members of both Houses. It need not contain members of the Government; for the

Cabinet, at least, would be even more intimately in touch with the working of the Foreign Office. It might have power, which would, naturally, only be exercised in grave matters, of addressing the Crown directly upon any tendencies in international affairs which appeared to it to be dangerous. In the last resort, it might have power to report to either House, which, in joint or separate session, open or secret, as might be determined, would be able to consider and act upon the report. Such a committee, if wisely selected, would combine the wisdom and authority of a Council of Elder Statesmen with the popular mandate of a representative body.

TREATY-MAKING POWERS OF THE DOMINIONS

[Contributed by the Hon. Sir C. HIBBERT TUPPER, K. C. M. G., K. C., M. P.]

[From Journal of the Society of Comparative Legislation, January, 1917.]

Section 132 of the British North America Act, 1867, reads as follows:

The Parliament and Government of Canada shall have all powers necessary or proper for performing the obligations of Canada or of any Province thereof, as part of the British Empire, towards foreign countries, arising under treaties between the Empire and such foreign countries.

The development of the rights of the Dominions in connection with the treaty power is illustrated by the political history of Canada since the above legislation, when this Dominion was created.

The constitutional power of the so-called Imperial Parliament is not now used to compel its commercial policy with other countries to be adopted in the Dominions. The self-governing Colonies after considerable demur on the part of the Colonial Office are permitted to regulate their own trade policy, subject always to this, that it be not such as to infringe upon obligations incurred by the Mother Country in her treaties.

THE DELEGATION OF THE TREATY-MAKING POWER.—International law undoubtedly requires a Sovereign Power in the completion of a treaty. This right, however, can be delegated, the responsibility remaining of course with the Sovereign Power to the same extent as for the acts of any other public accredited agents of the Crown.

On the other hand, the Legislature in any Dominion is free to determine whether or not to pass laws necessary to give effect to a treaty entered into between the British Government and any foreign power, but in which such Colony has a direct interest.

While the principle obtained that the negotiation of treaties with foreign powers, being a matter of Imperial concern, should be conducted only by agents specially authorised by the Crown, and by ministers directly responsible to the British Parliament, on many occasions in the negotiation of treaties between Her Majesty and the United States of America which have a special bearing upon Canadian interests, Canada has been directly represented, and latterly Canada has conducted negotiations directly with foreign Governments.

The history of the gradual development of this power may be traced with advantage.¹

¹ The following historical review is taken largely from *The Kingdom Papers* published by Mr. Ewart, K. C., of the Canadian Bar.

THE DESIRE FOR INDEPENDENT NEGOTIATIONS.—In 1870 a motion was introduced in the Canadian House of Commons for an address to the Governor General to urge the expediency of obtaining from the Imperial Government powers to enable the Government of the Dominion to enter into direct communication with other British possessions, and with foreign powers, for the purpose of extending the trade and commerce of Canada abroad. An amendment was carried deprecating any attempt to enter into treaties with foreign powers "without the strong and direct support of the Mother Country," and asserting that the object in view "can be best obtained by the concurrent action of the Imperial and Canadian Governments."

In 1871 Sir John A. Macdonald, Prime Minister of Canada, was appointed a Plenipotentiary of Her late Majesty on a Joint High Commission with the United States of America which *inter alia* concerned the Atlantic fisheries of Canada. He was one of several others appointed who, as he put it, were "Englishmen having little or no interest in Canada," but he made it a *sine qua non* that the provision of any Convention relating to Canadian interests would be inoperative until ratified by the Canadian Parliament. The correspondence (published since his death) between Sir John and his Government at Ottawa clearly establishes that he surmounted many difficulties with his British colleagues, and that but for him the Treaty of Washington (1872) would have failed in securing the assent of the Canadian Parliament.

In the years 1871, 1872, and 1873 correspondence took place between the Imperial and Australian Governments, with a view to the modification of the treaty-making power, so as to enable the principal Colonies of Great Britain to make reciprocal trade arrangements with foreign States. The Imperial Government did not surrender prerogative rights, but consented to such a modification of the existing practice as would place the Australian Colonies in a position towards each other similar to that of the Provinces which form part of the Dominion of Canada. This concession was embodied in the Australian Colonies Duties Act, 1873.

In 1874 the Hon. George Brown, a Canadian statesman, was appointed as one of two Plenipotentiaries to negotiate a treaty with the United States with reference to commerce, navigation, and fisheries. Canada had an equal voice in the negotiations, but no treaty resulted.

Mr. Brown's biographer writes:

This mode of representation was insisted upon by the Mackenzie Government, in view of the unsatisfactory results of the negotiations of 1871, when Sir John Macdonald, as one commissioner out of six, made a gallant but unsuccessful fight for the rights of Canada.¹

In 1879, in connection with the appointment of a High Commissioner in London, the Canadian Government expressed the opinion to the British Government:

that the very large, and rapidly augmenting, commerce of Canada, and increasing extent of her trade with *foreign nations*, is proving the absolute necessity of *direct negotiations* with them for the proper protection of her interests. In most of the treaties of commerce entered into by England, reference has

¹ John Lewis: Life of George Brown, p. 227.

only been had to their effect on the United Kingdom, and the Colonies are excluded from their operation, a fact which has been attended with most unfortunate results to Canada as relates to France. . . . The Canadian Government, therefore, submit that when needs occasion such negotiations to be undertaken, Her Majesty's Government should advise Her Majesty specially to accredit the representative of Canada to the foreign Court, by association, for the special object, with the resident Minister or other Imperial negotiator.

CANADIAN PLENIPOTENTIARIES.—Sir A. T. Galt, the Canadian High Commissioner, commenced his diplomatic activities (1879) with an attempt at negotiations with Spain. But he could do nothing. He had to communicate through the British Ambassador, and as Sir Charles Tupper (subsequently Prime Minister of Canada) quoted him:

He said that he found himself greatly hampered in discharging the duties imposed upon him by the Government of Canada, because he only stood in the position of a commercial commissioner, and it was necessary that all his negotiations with the Government of Spain *should be filtered through Her Majesty's Minister at the Court of Madrid.*

In 1880 and 1881 correspondence passed between Sir A. T. Galt, on behalf of Canada, and the Colonial and Foreign Offices. The Imperial Government consented that the Government of Canada should hereafter be relieved from the obligation of any new treaties with foreign powers to which objection was taken; that Canada should have the option of acceptance or refusal; and that her High Commissioner should be, as far as practicable, associated with the Imperial agents in the negotiation of all foreign treaties in which Canada was interested.

Sir Charles Tupper, a member of the Canadian Government, was appointed in 1883 (also in 1888) co-plenipotentiary, with Imperial representatives, to conduct negotiations with Spain, likewise in the latter year to negotiate with the United States; and again in 1892-3 to regulate commercial relations between Canada and France respecting customs tariffs.

In 1882 Mr. Edward Blake moved in the House of Commons the following resolution:

That it is expedient to obtain all necessary powers to enable Her Majesty, through her representative, the Governor-General of Canada, acting by and with the advice of the Queen's Privy Council for Canada, to enter, by an agent or representative of Canada, into *direct communication* with any British possession or *foreign State*, for the purpose of negotiating commercial arrangements tending to the advantage of Canada, subject to the prior consent or the subsequent approval of *the Parliament of Canada*, signified by Act.

Sir John A. Macdonald, leader of the Canadian Government, said in reply that by Canada demanding power to enter into direct negotiations with foreign countries for the purpose of negotiating commercial arrangements, "this means separation and independence."

In 1887, at the Colonial Conference of that year, Sir Dillon Bell (New Zealand) proposed

that Colonial Governments should be allowed to negotiate commercial treaties with foreign powers under the direction and supervision of Her Majesty's Ambassadors at foreign courts.

MR. BAYARD'S CRITICISMS.—Sir Charles Tupper, when Minister of Finance for Canada, received from Mr. Bayard (Secretary of State for United States) a letter (May 31, 1887) marked "Personal and unofficial," agreeing to oral negotiations between Canada and the

States. The following are passages from Mr. Bayard's letter which indicate a departure from former diplomatic procedure when the "filtering" through the British Ambassador at Madrid was necessary in dealing with Spain.

In the very short interview afforded by your visit, I referred to the embarrassment arising out of the gradual emancipation of Canada from the control of the Mother Country, and the consequent assumption by that community of attributes of autonomous and separate sovereignty, not, however, distinct from the Empire of Great Britain.

The awkwardness of this imperfectly developed sovereignty is felt most strongly by the United States, which can not have formal treaty relations with Canada, except indirectly and as a colonial dependency of the British Crown; and nothing could better illustrate the embarrassment arising from this amorphous condition of things than the volumes of correspondence published, severally, this year, relating to the fisheries, by the United States, Great Britain, and the Government of the Dominion.

The time lost in this circumlocution, although often most regrettable, was the least part of the difficulty, and the indirectness of appeal and reply was the most serious feature, ending, as it did, very unsatisfactorily.

It is evident that the commercial intercourse between the inhabitants of Canada and those of the United States has grown into too vast proportions to be exposed much longer to this wordy triangular duel, and more direct and responsible methods should be resorted to.

I presume you will be personally constituted a plenipotentiary of Great Britain to arrange here, with whomsoever may be selected to represent the United States, terms of arrangement for a *modus vivendi* to meet present emergencies and also a permanent plan to avoid all future disputes.

The gravity of the present conditions of affairs between our two countries demands entire frankness.

I feel we stand at "the parting of the ways." In one direction I can see a well-assured, steady, healthful relationship, devoid of petty jealousies, and filled with the fruits of a prosperity arising out of a friendship cemented by mutual interests, and enduring because based upon justice; on the other, a career of embittered rivalries, staining our long frontier with the hues of hostility, in which victory means the destruction of an adjacent prosperity without gain to the prevalent party—a mutual physical and moral deterioration which ought to be abhorrent to patriots on both sides, and which I am sure no two men will exert themselves more to prevent than the parties to this unofficial correspondence.

The roundabout manner in which the correspondence on the fisheries has been necessarily (perhaps) conducted has brought us into a new fishing season, and the period of possible friction is at hand, and this admonishes us that prompt action is needed.

I am prepared, therefore, to meet the authorized agents of Great Britain at this capital at the earliest possible day, and enter upon negotiations for a settlement of all differences.

In replying, Sir Charles said (June 10, 1887):

I note particularly your suggestions that as the interests of Canada are so immediately concerned, Her Majesty's Government should be invited to depute a Canadian statesman to negotiate with you "a *modus vivendi*" to meet present emergencies, and also a "permanent plan to avoid all disputes," and I feel no doubt that a negotiation thus undertaken would greatly increase the prospects of a satisfactory solution.

I say this, not because I believe that there has been any disposition on the part of the British Government to postpone Canadian interests to its own, or to retard by needless delay a settlement desired by and advantageous to the people of Canada and of the United States, but because I have no doubt that direct personal communication will save valuable time and render each side better able to comprehend the needs and the position of the other.

In the result an arrangement was made for a conference at which all outstanding questions between the two countries, including the Behring Sea seal fisheries, the Alaska boundary, and the Atlantic fisheries were to be discussed, and if possible disposed of.

Sir Charles Tupper was later on appointed a joint Plenipotentiary with Mr. Chamberlain and Sir Lionel Sackville West, the British Minister in Washington. This resulted in a treaty settling the dispute over the Atlantic fisheries, and in a letter of February 18, 1888, Mr. Chamberlain wrote to Sir Charles as follows:

I congratulate you most heartily on the result of our labours, which is so largely due to your knowledge, tact, and firmness. In my opinion you have done enormous service to Canada and Great Britain.

If the treaty be adopted it will remove the long-standing causes of irritation between the Dominion and the United States, and pave the way for more complete intercourse of all kinds.

ACTION OF THE CANADIAN PARLIAMENT.—On February 18, 1889, Sir Richard Cartwright, then in opposition, moved in the House of Commons of Canada:

1. That it has become a matter of extreme importance to the well-being of the people of this Dominion that the Government and Parliaments of Canada should acquire the power of negotiating commercial treaties with foreign States.

2. That an humble Address be presented to Her Majesty, praying that she will empower her Representative, the Governor-General of Canada, acting by and with the advice of the Queen's Privy Council for Canada, to enter, by an agent or representative of Canada, into direct communication with any foreign State for the purpose of negotiating commercial arrangements tending to the advantage of Canada, subject to the prior consent or subsequent approval of the Parliament of Canada, signified by Act.

He said in support of this that Canada needed the power to negotiate her own commercial treaties, and that Canada required in certain cases, at all events, "the right to appoint and to maintain agents of her own, responsible to her Parliament and responsible to her people, who will know better than those of any other country can do what are the real wants of the people of Canada, and who will keep our Government informed of the feelings of other nations."

In reply, Mr. Foster (now Sir George Foster, Minister of Trade and Commerce for Canada) said:

We find an increasing liberality in these matters, until we come to our position as it exists to-day, when Sir Charles Tupper, the High Commissioner in London, was not only allowed, as representing Canada, to take part in the negotiations for a treaty at Madrid with Spain and the Spanish West Indies, but was nominated as a co-plenipotentiary with the British Minister at Madrid, and was expressly given the authority to conduct the negotiations after he had been introduced by the British Ambassador resident at Madrid.

In 1891 an address to the Queen was adopted by the Canadian Senate and House of Commons. Some years previously, commercial treaties had been made with Germany and Belgium by the United Kingdom without Canada's assent having been asked, and without any consideration of her interests. These treaties contained the most-favoured-nation clause, and Canada, therefore, in making agreements with other countries, found herself embarrassed by the fact that every concession which she made to other countries passed automatically to those two countries. Canada asked for the termination of these treaties, and in her address she declared:

that these provisions in treaties with foreign powers are incompatible with the rights and powers subsequently conferred by the British North America Act upon the Parliament of Canada, for the regulation of the trade and commerce of the Dominion; and that their continuance in force tends to produce complications and embarrassments in such an Empire as that under the rule of Your Majesty, *wherein the self-governing Colonies are recognised as possessing the right to define their respective fiscal relations to all foreign nations, to the Mother Country, and to each other.*

But the Colonial Secretary, in declining to comply with Canada's request, said (April 2, 1892) :

In so far as the right here claimed consists in fixing rates of customs duties applying equally to all foreign nations, the Mother Country, and the British Colonies, Her Majesty's Government do not contest the statement. But if the statement is to be taken as extending to a claim of right to establish discriminating treatment between different foreign nations, or against the Mother Country, or in favour of particular Colonies, Her Majesty's Government are obliged to point out that the claim is stated too broadly; for no such general right has hitherto been recognised, nor is it clear that it would be admitted by foreign countries.

In 1892 Mr. Dalton McCarthy (a Conservative, but at the time at enmity with the Government) moved, in the House of Commons of Canada, a resolution affirming the necessity for the appointment of a Canadian representative at Washington. The Government amendment (proposed by Sir Charles Tupper) was carried and it ran as follows:

It is expedient that communications be opened with Her Majesty's Government in order to bring about such fuller representation of Canadian interests at Washington, and at the capitals of other countries in which such other representation may be found desirable, as may be consistent with the proper relations which should exist between Great Britain and Canada.

TREATY WITH FRANCE.—In 1907 the Canadian Government, through Messrs. Fielding and Brodeur (in nominal association with the British Ambassador at Paris), negotiated a commercial treaty with France. Upon this occasion the only knowledge which the British Government or the British Ambassador had of the proceeding was, as Mr. Balfour afterwards said, "a purely technical knowledge." It was Mr. Fielding, a Canadian statesman, who wrote from Paris to the British Foreign Office saying that the treaty was nearly ready, and asking that arrangements might be made for its adoption without delay.

DEPARTMENT OF EXTERNAL AFFAIRS.—In 1909, following the example of Australia (1900), the Parliament of Canada created a Department of External Affairs.

It has been said of the clause in the Australian Commonwealth Act assigning to the Federal Parliament jurisdiction respecting "external affairs" that "it will look, I should submit, as though the Imperial Parliament intended . . . to divest itself of its authority over the external affairs of Australia, and commit them to the Commonwealth Parliament."

This was not the interpretation placed upon the clause either by Australia or by the Colonial Office. Australia conceded that what was meant was "affairs external to the Commonwealth, not external to the Empire," and the Colonial Secretary declared that Australia had power "to deal with all political matters arising between them and any other part of the Empire; or (*through His Majesty's Government*) with any foreign power." Australia was not to correspond directly with foreign powers.

In 1909 Mr. Asquith is reported as saying:

It is understood that the Canadian Government propose to establish a Department of External Affairs. This Department is merely intended—like the corresponding Department of the Commonwealth Government—to conduct correspondence with the Secretary of State for the Colonies, and Her Majesty's Ambassador at Washington, and with the several Departments of the Canadian Government. No suggestion has been made by the Canadian Government for the increase of their powers in dealing with external affairs.

The statute of Canada (8 & 9 Ed. VII., No. 13) nevertheless expressly refers to negotiations with foreign countries:

The Secretary of State . . . shall have the conduct of all official communications between the Government of Canada and the Government of *any other country* in connection with the external affairs of Canada, and shall be charged with such other duties as may, from time to time, be assigned to the department by order of the Governor in Council in relation to such external affairs, or to the conduct and management of *international* or intercolonial negotiations, so far as they may appertain to the government of Canada.

TREATY WITH UNITED STATES.—In 1910 an arrangement was made with the United States by which all questions of difference between Canada and them were referred to a joint commission¹ composed of three Canadians (appointed not by the British Government, but by Canada) and three Americans. Art. 10 commences this way:

Any questions or matters of difference arising between the High Contracting Parties involving the rights, obligations, or interests of the United States or of the Dominion of Canada, either in relation to each other or to their respective inhabitants, may be referred for decision to the International Joint Commission by the consent of the two parties, it being understood that on the part of the United States any such action will be by and with the advice and consent of the Senate, and on the part of His Majesty's Government with the consent of the Governor-General in Council.

Shortly after the conclusion of the treaty Sir Wilfrid Laurier (then Prime Minister of Canada) in an after-dinner speech referred to it as follows:

It has long been the desire, if I mistake not, of the Canadian people that we should be entrusted with the negotiation of our own treaties, especially in regard to commerce. Well, this looked-for reform has come to be a living reality. Without revolution, without any breaking of the old traditions, without any impairment of our allegiance, the time has come when Canadian interests are entrusted to Canadians, and just within the last week a treaty has been concluded with France—a treaty which appeals to Canadians alone, and which has been negotiated by Canadians alone.

Mr. Balfour said in the House of Commons in 1910, with reference to Canada's negotiations with France:

The Dominion of Canada, technically, I suppose, it may be said, carried on their negotiations with the knowledge of His Majesty's representative, but it was a purely technical knowledge. I do not believe that His Majesty's Government was ever consulted at a single stage of those negotiations. I do not believe they ever informed themselves, or offered any opinion, as to what was the best policy for Canada under the circumstances. I think they were well advised. But how great is the change and how inevitable! It is a matter of common knowledge—and, may, I add, not a matter of regret but a matter of pride and rejoicing—that the great Dominions beyond the seas are becoming great nations in themselves.

In 1910 the Canadian Government and the United States Government arranged for reciprocal trade direct, and a so-called Pact or Agreement was reached, subject to action by both legislative bodies.

THE POSITION OF THE BRITISH AMBASSADOR AT WASHINGTON.—In 1911 the British Government was questioned as to the part played by the British Ambassador at Washington in connection with Canada's reciprocity negotiations—the complaint being that British interests had not been sufficiently safeguarded. In reply Mr. Asquith said:

¹ For a further account of the Commission and its work see "The International Joint Commission," by Lawrence J. Burpee, *Journal of Comparative Legislation*, vol. xv, p. 5.

The question of what is most to the advantage of Canada is primarily one for the Canadian Government. I must in view of these questions take the opportunity of repudiating emphatically the reflection on Mr. Bryce which is contained in them. Mr. Bryce had nothing to do with the views or policy of the Canadian Government. The negotiations were initiated and carried on by Canada, and the British Ambassador in pursuance of his plain duty when he saw William S. Fielding, the then Finance Minister of Canada, from time to time during the conferences at Washington in order to learn anything that might be needful for him to know. He did not interfere with the conference, but if asked for advice gave it, and all British subjects engaged in legitimate and important business are entitled to receive that from a British ambassador. For Mr. Bryce to have interfered with the negotiations going on at Washington upon matters which were within Canada's own competence would have been naturally resented by Canada. Generally there had been no difference of opinion in the Dominion about that, whatever may be the differences between Canadians themselves regarding reciprocity. The manner in which Mr. Bryce has performed his duties has been of great advantage, inspiring Canada with confidence in the British Ambassador at Washington, who will always be prepared to support the present Canadian Government no less than its predecessors in any negotiations it may be engaged in with the United States.

THE PRESENT POSITION.—To recapitulate, Canada has established a special department of her Government to deal with external affairs, and the first report of the "Under-Secretary of State for External Affairs" has been issued, in which we find:

Canada negotiated with France the convention of September 19, 1907, and modified it by the subsequent convention of January 23, 1909.

Canada agreed (1908) with the United States upon joint regulations for the preservation and propagation of food fishes in waters contiguous to the boundary.

Canada arranged a treaty (1908) with the United States for the precise delimitation of the international boundary from the Atlantic to the Pacific.

Canada arranged with Germany a cessation of the tariff-war between the two countries (effective March 1, 1910).

Canada arranged an agreement with Italy (Canadian Order in Council, June 7, 1910), and proposes a more formal treaty.

Canada has had negotiations with Belgium and the Netherlands, and has given to those countries the benefit of the intermediate tariff (June 7, 1910).

Canada made arrangements (1910) with the United States, and in consequence obtained the benefit of the minimum tariff of that country. And more recently Canada negotiated with the United States an arrangement for the reciprocal reduction of tariff duties upon a large list of products.

Canada made a treaty with the United States (1910) with reference to boundary waters.

Canada is carrying on harmonious survey work with the United States in order to settle the boundary line along the 141st meridian of west longitude.

We should therefore read in the light of the above record the circular despatch of 1895 from the Secretary of State to the Governor-General of Canada, the Governors of the Australasian Colonies (except Western Australia) and the Governor of the Cape of Good Hope, wherein is set forth the procedure to be followed in the case of arrangements concerning trade matters, and this is said to be in-

dictated in the language of Sir Henry Wrixon when he said at the Colonial Conference held at Ottawa in June, 1895:

I understand that when occasion arises the dependency informs the Imperial Government of its desire to enter into certain arrangements. The Imperial Government authorizes its Minister at the Court of the power which is to be treated with to carry on that negotiation, and then technically it is the Empire which makes the treaty.

The despatch continues as follows:

Par. 7. To give the Colonies the power of negotiating treaties for themselves without reference to Her Majesty's Government would be to give them an international status as separate sovereign States, and would be equivalent to breaking up the Empire into a number of independent States, a result which Her Majesty's Government are satisfied would be injurious equally to the Colonies and to the Mother Country, and would be desired by neither.

The negotiations, then, being between Her Majesty and the Sovereign of the foreign State must be conducted by Her Majesty's representative at the Court of the foreign power, who would keep Her Majesty's Government informed of the progress of the discussion and seek instructions from them as necessity arose.

It could hardly be expected, however, that he would be sufficiently cognisant of the circumstances and wishes of the Colony to enable him to conduct the negotiation satisfactorily alone, and it would be desirable generally, therefore, that he should have the assistance, either as a second Plenipotentiary or in a subordinate capacity, as Her Majesty's Government think the circumstances require, of a delegate appointed by the colonial Government.

If, as a result of the negotiations, any arrangement is arrived at it must be approved by Her Majesty's Government and by the colonial Government, and also by the colonial Legislature if it involves legislative action, before the ratifications can be exchanged.

Par. 8. The same considerations which dictate the procedure to be followed have also dictated the conditions under which, though never distinctly formulated, Her Majesty's Government have hitherto conducted such negotiations, and as to the propriety of which they are confident that no question can be raised.

Par. 9. These considerations are: The strict observance of international obligations, and the preservation of the unity of the Empire.

Australians and Canadians are with reason conscious to-day of the value to the Empire of a consolidation of strength which the present war has so largely brought about. With the colonial population increasing by leaps and bounds there must be provision for their voice in order to maintain the Empire.

We are now face to face with a reasonable demand not as yet formulated that the Dominions must be called to council if peace or war be involved.

If treaties can be effective between foreign powers, the Dominions and the Motherland can easily arrange a basis for mutual defence while maintaining all the essential features of self-government. There remains, however, the important question of war or peace on the part of the Empire. Who in future shall decide?

Fortunately for the real unity of the Empire, the Dominions, as we have seen, are practically independent States in trade matters to-day, but under a common Sovereign. Their steady growth and increasing strength call, and will more loudly call, for proper representation in the council of war. The earnest desire of the Dominions is to remain ever under the Sovereign of the Empire. Some system of representation should, however, be devised, while preserving the rights of self-government in matters of local concern, yet securing consolidation and permanency of the naval and military strength, so as to ensure the laws and liberty of this growing Empire.

"All must be false that thwarts this one great aim."

FRENCH

RATIFICATION OF TREATIES

[Translated from Moreau: Précis Élémentaire de Droit Constitutionnel.
Paris, 1919.]

The President of the Republic by article 8 of the Constitution of 1875 is empowered to negotiate and ratify treaties. He is to communicate the treaties to the Chambers as soon as public safety will admit. This control of treaties is, however, qualified by the requirement that treaties of peace, of commerce, those which affect finances of the state, those which relate to property of French citizens in foreign countries, are definitive only after approval of both Chambers. No cession or exchange, or addition of territory can be made without legislative action. The enumeration of treaties requiring the approval of the Chambers is so large that the Chambers are called upon to vote upon most of the treaties. There is a special reason in each case: the treaties of peace must be submitted to Parliament because of their political importance; those affecting territory because of their national importance; those relative to the state or property of French citizens in foreign countries because they are legal in nature; those engaging the finances of the State are the proper function of Parliament. All these motives can be decisive, but it would have been simpler to have stipulated that all treaties should be submitted to Parliament. It would appear that the makers of the Constitution of 1875 intended, by force of the enumeration above stated, to oblige the Government to submit all treaties without exception. So the practice is constant that the Parliament is called upon to approve diplomatic conventions, which do not come strictly within the text of the Constitution—for example, extradition treaties. The exceptions to approval of the Parliament are rare; the most important are the treaties of alliance, which are necessarily kept secret; there may also be noted acts stipulating execution of judgments, exchange of acts of civil status (*état civil*) or of official documents, conventions in regard to parcels posts.¹

The rôle of the Chambers in these matters carries no initiative. They can not oblige the President to make a treaty,² to break off negotiations, or, much less, a regular convention, nor amend the text of treaties submitted to their examination, which they must either approve or reject *en bloc*.³ They can, however, and this right is im-

¹ The Chamber returned to the Government (Nov. 28, 1891) an agreement with Dahomey (Oct. 3, 1890) that the Government had thought necessary to submit to it, and which it had ratified at once (Dec. 8, 1891).

² Some times, however, they have invited the Government to negotiate a treaty upon a given subject.

³ These dispositions are adopted by the regulation of the Chambers (Senate, article-73: Chamber, article-93), which permit, however, an adjournment with an indication of the clauses which seem unacceptable.

portant for the conventions which are not rejected, interpellate the ministers upon foreign politics, and in this way exercise great influence upon foreign policy.

The Chambers can also give their approval in advance to certain treaties that the Government will conclude under determined conditions. Thus the law of Dec. 29, 1891, article 2, authorizes the Government to concede minimum tariff to the countries having treaties with France which will accord to it the most favored nation treatment.

Have the Chambers not violated the Constitution or encroached upon the diplomatic initiative of the Executive, when they have voted the law of Jan. 11, 1892, of which article 1 establishes in customs matters a maximum normal and a tariff minimum, "which may be applied" by the President of the Republic to the countries according reciprocity to French goods? I think not, though the question has been lively discussed. It has been sustained that this text limited the right of the Government to negotiate treaties. It results from the explanations of the Government and of the Commission that the text is only an indication of the clauses which the Chambers are disposed to ratify, but which are not obligatory either for the Government, which has the power to negotiate below the minimum tariff, nor the Chambers who are free to approve these same negotiations. [From *Pierre: Traité de droit politique électoral et parlementaire*. Paris, 1908.]

It is hardly necessary to say the term "treaty of peace" which is found in the constitutional law is limitative; some conventions for the prevention of war do not require the approval of the Chambers to be definitively ratified by the President of the Republic. The treaty concluded at Berlin July 13, 1878, between France, Germany, Austria-Hungary, Great Britain, Italy, Russia, and Turkey for regulating the questions raised in the East by the last war [Russo-Turkish] has not been considered as a treaty of peace which must be submitted to a vote of the Chambers; it has been ratified by the President of the Republic, during the prorogation of the Parliament and promulgated in the *Journal Officiel* of the 6th September, 1878. The clauses, by which it is stipulated that a foreign government engages with France to open negotiations with a view of a regulation of the customs and commercial régime and to authorize French citizens to circulate and trade freely in certain territories of its sovereignty, are considered as commercial treaties. The legislation of 1875 has not included the treaties of alliance among those requiring a vote of the Chambers; but these treaties nearly always affect the finances of the country. Nevertheless when for reasons of state, a treaty of alliance had not been submitted nor communicated to the Chambers, it could not be put into execution without a vote of the Parliament; thus by an indirect method it would have to pronounce itself; the Parliament would not be called to authorize the President to give a ratification already made, but to deliberate upon the measures which would be the result of the engagements made.

The treaties of protectorate concluded with the Chiefs of regions in Africa are not considered as requiring to be submitted to the approval of the Chambers; they are definitively ratified by the Presi-

dent of the Republic. The act of submission whereby a chief of a state recognizes the sovereignty of France in the foreign relations of this state are not considered as of those requiring to be submitted to the Chambers, if the diplomatic instrument constitutes an unliberal act, endorsed only by the signature of the sovereign interested, and if otherwise the sovereign remains in possession of his rights and prerogatives in internal affairs; the fact that his enjoyment of these rights and prerogatives depends upon the authority of France does not suffice to create an annexation of territory within the meaning of article 8 of the Constitution. Similarly when the diplomatic act carries the signature of both contracting parties, there is no need of submitting it to the ratification of the Chambers if it limits itself to the restriction of the rights of sovereignty of a foreign power upon certain territories, such clauses (provisions) do not constitute an acquisition to French territory; but it would suffice only in case that to these clauses were added enjoining the obligation of submission of the whole treaty to the Chambers.

When a treaty before the Chamber appears not to be of those engaging its constitutional prerogatives, it has the right of saying or declaring that it comes entirely within the powers of the Government to give its definitive ratification upon its sole responsibility.

In a session of the Chamber of Deputies, Nov. 28, 1891, President Floquet explained this in definite terms:

I do not consider that the Chamber can not do otherwise than either adopt, reject, or return to the Government. It has always the right after having examined the nature of a treaty, to declare that the dispositions of the treaty do not seem to require the authorization of the legislature for ratification.

Conformably to this doctrine the Chamber adopted (Nov. 28, 1891) a resolution prepared by one of the Commissions couched in the following terms: "The Chamber is of the opinion that there is no necessity of ratifying by law the agreement concluded Oct. 3, 1890, with Dahomey and leaves to the Government the duty of giving to this act the sanction most conformed to the interests of France in the Gulf of Benin."

In the consideration by the Chamber of a bill in which the Government asks their approval of a treaty concluded with a foreign power, they clearly can not vote upon or amend the text of the articles; they can only request the Government to reopen negotiations for the purpose of obtaining modifications of the clauses which appear to them contrary to the interests of the State. This requires that special procedure be established in regulation of the Chamber's examination of the bill authorizing the ratification of the treaties concluded with foreign powers. This procedure is not regulated in the Constitution of 1848, nor in the preliminary regulations of the Legislature of 1849. It was traced for the first time in a resolve of March 20, 1851, which formed article "72 bis" of the regulation. This article has been observed by the last National Assembly. The regulations of the present Chambers reproduce these cases, in adapting them to the new legislative organization (Parliament). Article 73 of the Rules of the Senate and article 32 of the Rules of the Chamber of Deputies declare against voting upon articles of a treaty, and provide that no amendments to the text may be presented. If in the course of two deliberations, there appears opposition to some one of the clauses of a treaty, it shows itself under the form of a reference to a Commission, printed and

distributed twenty-four hours in advance. The terms of the two rules differ slightly as concerns debate and report upon the demand for a reference:

RULES OF THE SENATE.

If the Senate after debate, decides to return a treaty, the commission before the definitive vote, makes a comprehensive report, which must be printed and distributed, upon the different contested clauses submitted to its examination; it then decides as to rejection or adjournment of the bill.

RULES OF THE HOUSE.

If after debate the Chamber takes a treaty into consideration it decides for its return, upon a second reading, the Commission makes a comprehensive report, which must be printed and distributed upon the different contested clauses which have been referred to it for examination. It then decides either for adoption, rejection, or postponement of the bill. In the two Chambers, when urgency has been declared, the Commission presents its report upon the clauses submitted to it for examination, after the close of the discussion upon the more contested articles. The postponement, if it is announced, is set forth tersely in the following terms:

The Chamber (or Senate) again calling the attention of the Government to such or such clauses of the treaty (reciting the clause upon which the postponement is founded), declines to authorize the ratification.

The demand for returns can be equally formulated in the following terms:

The Chamber invites the Government to open new negotiations relative to articles ---- of the second deliberation or of a single discussion after a declaration of urgency is submitted to the formality of taking into consideration as amendments to ordinary projects. Well understood, the declaration of urgency pronounced before passing to the articles offers no obstacle to the requests for postponement (deferment).

The interdiction against presenting amendments to the text of a treaty would not prevent the President receiving and taking into consideration a disposition deciding that a treaty approved by the Chamber would be executed only after modification of certain articles of the treaty. So, on the 4th June, 1878, the Commission of the Chamber of Deputies charged with examining the treaty of commerce Franco-Italian proposed (with the assent of the Government) to add, after the article carrying approval of the treaty a disposition beginning as follows: "This treaty will be executed only after an agreement between the French Government and the Italian Government: *le pour. * * **"

The proposed reserves not giving sufficient satisfaction to the Chamber, the postponement of the approval was purely and simply noted June 7, 1878, in the following terms: "The Chamber of Deputies invites the Government to enter upon new negotiations to modify the Treaty signed at Paris July 6, 1877, between France and Italy." [This treaty consequently failed. Later negotiations resulted in a Provisional treaty, concluded Jan. 15, 1879, approved by France by a special law Feb. 14, 1879, ratified at Rome Feb. 19, 1879.]

When a Chamber enacts a bill carrying authorization of a treaty with a foreign power, it can introduce in the text of the law any amendments which are not destructive of the treaty itself. But the object of regulation is to prevent the legislative power encroaching upon the executive power, which alone has the right to negotiate a treaty; it results from its text, conformably to the spirit of the con-

stitutional law, that a Chamber must not take the responsibility of opening negotiations; that it must be limited to examination of treaties only after they have been concluded. Consequently, a member would be disobedient to the rules in attaching an amendment to a law which would in reality modify an article of a treaty submitted to the Chamber for approval.

The Conventions signed with a Chief of a State under the Protectorate of France are subject to the same examinations as the treaties with other foreign powers.

[From Great Britain. Foreign Office, "Treatment of International Questions by Parliaments in European Countries, the United States, and Japan." Miscellaneous. No. 5, 1912.]

The Chamber of Deputies appoints sixteen grand committees at the beginning of each fresh Legislature, to examine and report on questions concerning the various departments of the State with which the House is called upon to deal. One of these committees is "*La Commission des Affaires extérieures et coloniales*." It is elected for the whole legislative period (four years), and composed of forty-four members, designated by the various political groups in proportion to their numerical strength. This choice has to be confirmed by the Chamber at a public sitting. The committee does not examine the Budget for Foreign Affairs, as the yearly credits for that department are discussed by the General Budget Committee ("*Commission du Budget*"). The Foreign Affairs Committee reports to the Chamber on all questions relating to foreign policy which are submitted to it. It may summon before it any person whose evidence may be of a nature to guide it in its deliberations, but when these persons hold an official post, the Minister concerned must first give his consent, with or without the condition that professional secrecy is to be observed. A Minister himself may be requested to appear and give explanations to the committee on points of policy. Although, in theory, a Minister is not obliged to appear before the committee, a refusal to do so would not be in harmony with French parliamentary traditions. All papers which the committee desires to consult are communicated to it through its chairman by the competent Minister. Should the latter consider that reasons of State forbid him to communicate any document thus asked for, the Minister informs the chairman of the committee, which usually acquiesces in the Minister's view. If the committee persists in its demand, the matter is brought before the Chamber. Should the latter support the committee, such action is likely to bring about a Ministerial crisis.

In certain cases, the committee for Foreign Affairs may be invested by the Chamber with the powers of a special commission of enquiry. These powers include the right of hearing sworn witnesses and of pursuing investigations in any part of France or even abroad.

There is no permanently constituted Committee for Foreign Affairs in the Senate. Bills submitted to this Assembly concerning foreign affairs are referred to a special committee. In some cases, especially when the matter is pressing, they are merely referred to the Senate Finance Committee. The same rules respecting the summoning of witnesses, official or non-official, as obtain in the case of the Committee of Foreign Affairs of the Chamber apply in the committees of the Senate.

ITALIAN

RATIFICATIONS

[From Great Britain. Foreign Office, "Treatment of International Questions by Parliaments in European Countries, the United States, and Japan." Miscellaneous. No. 5, 1912.]

There exists in the Italian Parliament no committee of foreign affairs and, in general, the Government may be said to enjoy a wide independence in dealing with international questions.

The general rule is such that the Government is empowered to negotiate and ratify without the cognisance of Parliament such treaties as impose no direct financial burden on the country and do not affect its credit; but if any clause necessitates a vote of supplies, the entire treaty must be submitted to the approval of Parliament. This interpretation was insisted upon in respect of the treaty of peace with Austria in 1849, when the Government endeavoured to establish the doctrine that only the financial articles required the approval of Parliament; whereupon the Chamber passed an order of the day to the effect that the vote of the required funds did not validate the treaty which required the approval of Parliament before it could have force of law.

Apart from this control the Chamber exercises a general supervision over the foreign policy of the Government by means of questions, interpellations, and requests for papers, and the right of unlimited discussion on the Foreign Office vote in much the same way as the British Parliament.

As regards interpellations, the responsible Minister may, with the consent of the House, defer his reply, or even refuse to reply at all; in the latter case, however, the interpellator has the right, before the House takes its decision, to state the reasons for his interpellation, and the Minister must then show his grounds for refusing to reply. After the Minister has replied to an interpellation, it is open to the interpellator, if he is dissatisfied, to move an order of the day hostile to the Government, whereupon the Chamber decides when it shall be discussed.

Questions are usually submitted in writing, and, as in the case of interpellations, the Minister may, with the consent of the House, refuse to reply; on the other hand, the custom of the Italian Parliament appears to allow members considerable latitude with regard to supplementary questions.

As regards the publication of papers dealing with international questions, the Italian Parliament appears always to have recog-

nised that the Minister of Foreign Affairs must be the sole Judge as to the opportuneness of publishing correspondence dealing with current questions.

[The Turco-Italian peace treaty of Lausanne, October 18, 1912, contained the following clause: "The present treaty shall come into force on the day of its signature." Notwithstanding this proviso, the terms of the treaty were debated in the Parliament and the treaty was approved December 16.]

[From Dodd: Modern Constitutions. Vol. 2.]

ARTICLE 5 OF THE CONSTITUTION OF ITALY.

To the King alone belongs the executive power. He is the supreme head of the state; commands all land and naval forces; declares war; makes treaties of peace, alliance, commerce, and other treaties, communicating them to the houses as soon as the interest and security of the state permit, accompanying such notice with opportune explanations; treaties involving financial obligations or alterations of the territory of the state shall not take effect until after they have received the approval of the Houses.

[Translated from Michon, *Les Traités Internationaux Devant les Chambres.*]

This article is manifestly copied from the Belgian constitution.

Beyond the difference which we shall indicate in the enumeration of treaties there are only some inconsequent changes in the text. It is to be remarked, however, that in place of including modifications of territory among the treaties requiring the assent of the Chambers there is a special stipulation exacting the enactment of a law.

It is regrettable that they have reproduced from the Belgian constitution the equivocal phrase (have no effect) in the treaties submitted to the Parliament. M. Schanzer, in his interesting study, observes that these words can contemplate the international effect as well as the effect from the point of view of internal law, also as well the conclusion as the execution of treaties. This, he says, may signify that although the King, by the ratification of a treaty affecting the finances or territory validly obligate the state, he can not put in execution the stipulation of the treaty until he has procured the assent of the Chambers; or this can mean that a treaty of this category, concluded and ratified by the King, has not the effect of creating an international obligation for the State, because the power of the King fails unless completed by the assent of the Chambers. We have said apropos of the Belgian constitution that a literal interpretation seems to lead to this second view; because to say that a convention has not of effect is to say that it has no effect; for if in law it obligated the state or foreign power it will produce an effect despite the impossibility of execution. But evidently one can not make a serious argumentation upon such a basis. But unhappily there is no article of the Statute which resolves this question.

The exact intent of article 5 has been discussed at length in the Chambers of Deputies, in 1849, on the occasion of the treaty of peace with Austria.

The Chamber having at first refused to deliberate in secret committees, the Government fearing that delays would give Austria

opportunity to impose harder conditions, proceeded to ratify without consulting Parliament.

When, in November, it presented the treaty already ratified, a long discussion ensued in the Chamber of Deputies, upon the validity a treaty could have which had been ratified by the Sovereign without the approval of Parliament. Deputy Buffa sustained that the royal ratification sufficed to give character of perfection and irrevocability as regards Austria, and consequently he proposed to the Chamber not to vote as to approval of the treaty, except to provide by special laws for the regularity of execution. M. Pinelli, although considering it necessary to vote upon the treaty, agreed with M. Buffa that the royal ratification without parliamentary approval was sufficient to give validity to the treaty in international law. M. Mallana combated very vigorously this interpretation of the statutes, claiming that constitutional régime would thus be a deception. M. Gastinelli said: "When a nation lives under a constitutional régime, the ratification of the Sovereign in cases when Parliamentary assent is necessary, contains always the reservation, if not expressed, at least tacit, of this assentment." Many other members of the Chamber spoke in the same tenor. Deputy Pescatore notably said, "In the sense that a treaty obligates a nation it is effective, the Statute declares that a treaty is not effective without the consent of Parliament."

The question was referred to a Commission to allow of an examination of the several amendments, but this Commission proposed to the vote of the Chamber the text of a resolution which did not settle the question one way or the other. Deputy Buffa rallied to the support of an amendment of MM. Rosellini and Valerio, introducing the principle of the definitive effect of royal ratification. This amendment was then rejected.

Notwithstanding the fact that the Chamber did not formally resolve the constitutional question, it can not be denied that the Rosellini-Valerio-Buffa proposition constituted an implicit condemnation of the theory, the approval of Parliament was only necessary for the execution of conventions. Otherwise Carvonim himself, in the sitting of the 13th of November, declared that he could not give full approbation to this theory. One can observe a second Parliamentary conservation of the opposite thesis, which declares the vote of the Chamber is similarly necessary to the validity of the convention in the implicit assent given by the Chamber when no contradiction was offered—to the affirmation, very categorical in this sense, of the deputy Guerrieri, in the sitting of March 28, 1867, apropos of a postal convention with Spain.

Further, the executive power, for thirty years, has ordinarily submitted treaties to Parliament before ratification. At the same time, since this epoch the procedure has not been definitely fixed. The treaty of navigation and commerce of Nov. 17, 1883, for protection of industrial property, was ratified after the approval of the Chamber but before the vote of the Senate. The treaty of commerce between Italy and Austria, ratified Nov. 13, 1889, was not approved by the Chamber until Mar. 15, 1889, and by the Senate March 27. At the same period, on the contrary, the treaty of amity

and commerce with the Orange Free State, and the Convention with Ethiopia of Oct. 1, 1889, was presented to Parliament before the exchange of ratifications.

There is no doubt in the silence of the text that it is unconstitutional to proceed to ratification prior to a vote of the Chambers. If it is admitted that this ratification does not give validity to the convention it must be recognized that the terms of the vote of the Chambers is not absolutely in harmony with the character attributed to this vote. The form used is as follows: "The Government of the King is authorized to give full and entire execution to such treaty."

It would appear more exact that the law should declare the treaty approved, and that it were called the law of approbation, instead of law of execution.

The King holds from article 5 the sole right of making treaties of peace, but it is neither contestable nor contested that the assent of the Chamber is necessary when the treaty of peace stipulates a financial charge or a modification of territory. The only point which has been discussed is as to the mode of giving assent. Apropos of the treaty of peace with Austria, Aug. 6, 1848, certain deputies sustained that the vote of the Chambers should bear only upon the articles containing financial stipulations, and not upon the treaty as a whole. Other members of the Chamber, on the contrary, as the Deputy Mallana, affirmed the indivisibility of the treaty, and said that in adopting or rejecting a part, the Chamber adopted or rejected the entire treaty; they deduced that the Parliament had the right of pronouncing upon the totality of the treaty of peace. The Minister Mameli sustained the opposite thesis. The Chamber made no decision upon the question, but the report of the Commission of the Senate charged with the examination of the treaty, concluded that it would be more conformable to the principles of constitutional law to limit the vote of the Chamber alone to the stipulation which would not be effective without this vote.

This theory was never endorsed by any resolution of the Senate or the Chamber, and the treaties of peace submitted to Parliament have always been in their totality.

[This treaty was ratified without the approval of the Parliament. *Supra.*]*

* The text of this ratification follows.

TEXT OF THE RATIFICATION OF THE TURCO-ITALIAN TREATY OF 1848, WHICH WAS NOT APPROVED BY THE PARLIAMENT BEFORE THE EXCHANGE OF RATIFICATION.

1. RATIFICATION DE L'EMPEREUR D'AUTRICHE.

Nos Franciscus Josephus Primus, etc., etc., etc.

Notum testatumque omnibus et singulis quorum interest, tenore praesentium facimus:

Ad stabiliendam solidam ac durabilem in Italia superiore pacem, firmandamque in illa omnium bonorum votis exoptatam quietem a Nostro Plenipotentiaro et Serenissimi ac Potentissimi Sardiniae regis Plenipotentiaris plena utraque ex parte agendi facultate munitis, tractatus pacis et amicitiae cum septem articulis separatis et ad-

ditionalibus die sexta mensis Angustianni currentis Mediolani confectus et signatus fuit tenoris sequentis:

(Sequitur tractatus.)

Nos visis et perpensis omnibus et singulis antecedentibus his articulis, illos omnes ratos gratosque habere hisce declaramus, verbo Nostro Caesareo Regio adpromittentes, Nos ea omnia, quae in illis continentur fideliter executioni mandatueros esse.—Quorum in fidem majusque robur praesentes Ratihabitionis tabulas manu Nostra signavimus sigilloque Nostro Caesareo Regio adpresso firmari jussimus.

Dabantur in Imperiali Urbe Nostra Vienna Austriae die decima quarta mensis Augusti, anno millesimo octingentesimo quadragesimo nono, Regnorum Nostrorum primo.

[L. s.]

FRANCISUS JOSEPHUS.

F. SCHWARZENBERG *m. p.*

2. RATIFICATION DU ROI DE SARDAIGNE.

Victor Emanuel II. par la grace de Dieu Roi de Sardaigne, de Chypre et de Jérusalem, Duc de Savoie, de Gênes, de Montferrat, d'Aoste, de Chablais, de Genevois et Plaisance; Prince de Piémont et d'Onelle; Marquis d'Italie, de Saluces, d'Ivrée, de Suse, de Ceva, du Maro, d'Oristan, de Cérane et de Savone; Comte de Maurienne, de Genève, de Nice, de Tende, de Romont, d'Asti, d'Alexandrie, de Gocéau, de Novare, de Tortone, de Vigevano et de Bobbio, Baron de Vaud et de Faussigny; Seigneur de Verceil, de Pignérol, de Tarentaise, de Lumelline et de la Vallée de Sesia, etc., etc.

A tous ceux qui ces présentes verront, salut.—Nous ayant vu et examiné le Traité de paix, ainsi que les articles séparés et additionnels conclus et signés à Milan le sixième jour de ce mois par Nos plénipotentiaires le Comte de Pralormo, le Chevalier Dabormida et le Chevalier Boncompagni, et par le Chevalier de Bruck, plénipotentiaire de Sa Majesté l'Empereur d'Autriche, des quels Traité et Articles séparés et additionnels la teneur suit.

Au nom de la très Sainte et Indivisible Trinité!

(Sequitur tractatus.)

Nous ayant agréable le Traité et les Articles séparés et additionnels ci-dessus en toutes et chacune des dispositions qui y sont contenues, les avons acceptés, approuvés, ratifiés et confirmés, comme par les présentes signées de Notre main, Nous les acceptons, approuvons, ratifions et confirmons, tant pour Nous que pour Nos héritiers et successeurs, promettant en foi et parole de Roi, de les observer et de les faire inviolablement observer sans jamais y contrevenir, ni permettre qu'il y soit contrevenu directement ou indirectement pour quelque cause et sous quelque prétexte que ce soit.—En foi de quoi Nous avons fait contresigner les présentes par le Chevalier Maxime Tapparelli d'Azeglio, Decoré de la Médaille du Mérite Militaire, Colonel de Cavalerie, Président de Notre Conseil des Ministres, Chargé du Portefeuille des affaires étrangères, Notaire de la Couronne et Sur-Intendant général des postes, et y avons fait mettre Notre grand sceau. Donné en Notre Palais de Moncalieri, le douzième jour du mois d'Août, l'an de grace Mil-huit-cent quarante-neuf.

VICTOR EMMANUEL.
M. AZEGLIO.

GERMAN

CONSTITUTION OF THE GERMAN EMPIRE

ART. 4. The following matters shall be under the supervision of the Empire and subject to imperial legislation:

(1) Regulations with respect to the freedom of migration; matters of domicile and settlement; citizenship; passports; surveillance of foreigners; trade and industry, including insurance; so far as these matters are not already provided for by Art. 3 of this constitution. In Bavaria, however, exclusive of matters relating to domicile and settlement; and likewise matters relating to colonization and emigration to foreign countries.

(2) Legislation concerning customs duties, commerce, and such taxes as are to be applied to the use of the Empire.

(3) Regulation of weights and measures; of the coinage; and the establishment of the principles for the issue of funded and unfunded paper money.

(4) General banking regulations.

(5) Patents for inventions.

(6) The protection of intellectual property.

(7) The organization of a general system of protection for German trade in foreign countries, of German navigation, and of the German flag on the high seas; and the establishment of a common consular representation, which shall be maintained by the Empire.

(8) Railway matters, subject in Bavaria to the provisions of Art. 46; and the construction of land and water ways for the purposes of public defense and of general commerce.

(9) Rafting and navigation upon waterways which are common to several States, the condition of such waterways, river and other water dues [and also the signals of maritime navigation (beacons, buoys, lights, and other signals)].

(10) Postal and telegraph affairs; in Bavaria and Württemberg, however, only in accordance with the provisions of Art. 52.

(11). Regulations concerning the reciprocal execution of judicial sentences in civil matters, and the fulfillment of requisitions in general.

(12) The authentication of public documents.

(13) General legislation as to the whole domain of civil and criminal law, and judicial procedure.

(14) The imperial military and naval affairs.

(15) Police regulation of medical and veterinary matters.

(16) Laws relating to the press and to the right of association.

IV. THE PRESIDENCY.

ART. 11. To the King of Prussia shall belong the presidency of the Confederation, and he shall have the title of German Emperor. It shall be the duty of the Emperor to represent the Empire among nations, to declare war and to conclude peace in the name of the Empire, to enter into alliances and other treaties with foreign countries, to accredit ambassadors and to receive them.

For a declaration of war in the name of the Empire, the consent of the Bundesrat is required, unless an attack is made upon the federal territory or its coasts.

So far as treaties with foreign countries relate to matters which, according to Art. 4, are to be regulated by imperial legislation, the consent of the Bundesrat shall be required for their conclusion, and the approval of the Reichstag shall be necessary to render them valid.

DOCUMENTARY

The following document has been selected as giving typical examples of the methods adopted in different countries in dealing with special treaties.

RATIFICATION OF TREATIES BETWEEN GREAT BRITAIN AND THE UNITED STATES, 1783 AND 1815

HOUSE OF COMMONS

[Parliamentary History of England, vols. 2-3, London, 1814.]

ADDRESS TO THE KING ON MAKING PEACE WITH THE AMERICAN COLONIES,
FEBRUARY 27, 1782.

The minister being thus left in a minority, general Conway followed up his first motion with another:

That an humble Address be presented to his Majesty, most humbly to represent to his Majesty, that the farther prosecution of offensive war on the continent of North America, for the purpose of reducing the revolted colonies to obedience by force, will be the means of weakening the efforts of this country against her European enemies, tends, under the present circumstances, dangerously to increase the mutual enmity so fatal to the interests both of Great Britain and America; and, by preventing an happy reconciliation with that country, to frustrate the earnest desire graciously expressed by his Majesty to restore the blessings of public tranquillity.

This motion was agreed to without a division.

Resolved, That the said Address be presented to his Majesty by the whole House.

March 4. The Speaker reported to the House, that the House had attended his Majesty with their Address, to which he had been pleased to return the following Answer:

Gentlemen of the House of Commons: There are no objects nearer to my heart than the ease, happiness, and prosperity of my people. You may be assured, that, in pursuance of your advice, I shall take such measures as shall appear to me to be most conducive to the restoration of harmony between Great Britain and the revolted colonies, so essential to the prosperity of both; and that my efforts shall be directed in the most effectual manner against our European enemies, until such a peace can be obtained as shall consist with the interests and permanent welfare of my kingdoms.

General Conway rose to move an Address to his Majesty. He was sorry, he said, that it had fallen to his lot to trouble the House so often; but he hoped that they would excuse him, on account of the

great importance of the subject, on which he had so often taken the liberty to solicit their attention. Often foiled in the course of the present war, in his attempt to put an end to hostilities with America, he had for once succeeded in a motion from which great expectations might be formed, though he had no great reason to flatter himself or the House very much from the answer that had been made to the Address, which had followed his motion, as it was not quite so explicit as he could have wished; however, he thought it right and proper to return thanks for it to the throne, expressive of the satisfaction of the House, at those pacific dispositions which were manifested in his Majesty's Answer. But he trusted he should be seconded by the House in his desire to secure themselves and this country against the possibility of a doubt that the American war was not now completely concluded. Something, perhaps, might yet be wanting to confirm the resolution of the House last Wednesday; something by which ministers would be so expressly bound, that, however desirous of evasion, they would not have it in their power to evade the injunction of that House; but now he would move:

That an humble Address be presented to his Majesty to return his Majesty the thanks of this House for his most gracious Answer to their Address presented to his Majesty on Friday last and for the assurances his Majesty has most graciously been pleased to give them of his intention, in pursuance of the advice of this House, to take such measures as shall appear most conducive to the restoration of harmony between Great Britain and the revolted colonies; and that his efforts shall be directed in the most effectual manner against our European enemies until such a peace can be obtained as shall consist with the permanent welfare and prosperity of his kingdoms; this House being convinced that nothing can, in the present circumstances of this country, so essentially promote those great objects of his Majesty's paternal care for his people as the measures which his faithful Commons have most humbly but earnestly recommended to his Majesty.

Viscount Althorpe should consider himself wanting in duty to his sovereign if he did not rise to second the motion. At the same time, he said, he was not perfectly satisfied with the Answer that had been given to the late Address; and he wished that the hon. member would take some step that might tend to enforce the spirit of that Address. With respect to the motion then before the House, he hoped it would be carried unanimously as a mark of that respect which the House entertained for his Majesty.

The motion was carried *nem. con.*

HOUSE OF LORDS.

DEBATE IN THE LORDS RESPECTING THE ARTICLES OF THE PROVISIONAL TREATY RELATIVE TO THE RECOGNITION OF THE INDEPENDENCY OF AMERICA. A. D. 1782.

In the course of debate in the Lords respecting the Articles of the Provisional Treaty relative to the Recognition of the Independency of America, December 13, Earl Fitzwilliam put the following question to the Prime Minister. He had written it down, in order to be more distinct in the matter, and it was as follows:

Is it to be understood, that the Independence of America is never again to become a subject of doubt, discussion, or bargain; but is to take effect absolutely, at any period, near or remote, whenever a treaty of peace is concluded with the court of France, though the present treaty should entirely break off?

Or, on the contrary, is the independence of America merely contingent; so that if the particular treaty, now negotiating with that court, should not terminate in a peace, the offer is to be considered as revoked, and the independence left to be determined by circumstances and the events of war?

* * * * *

The Earl of Shelburne replied (in part) as follows:

A time would speedily come when the noble Earl would have a right to call for the agreement which was concluded with the Americans; and ministers held themselves responsible to their country for the articles which it contained. In the meantime he begged the House to remember, that the thing was done, that the treaty was signed and sealed; and that, whether it was good or bad, the production of it could not vary the measure, in order to make it what noble lords might wish it to be. He begged them at the same time to remember, that that agreement with the Americans had been made in consequence of an act of the last session, empowering his Majesty to conclude the differences between this country and America, so anxious had parliament been that there should be no obscurity in the matter; and the King's ministers were anxious that peace should be suddenly restored to this country.

DEBATE ON MR. FOX'S MOTION FOR SUCH ARTICLES OF THE PROVISIONAL TREATY AS RELATE TO THE RECOGNITION OF THE INDEPENDENCY OF AMERICA DECEMBER 18.

Mr. Fox said that no two things upon earth could be more opposite to each other, or differ more, than the explanation given to the same treaty by his Majesty's ministers in one place and a minister of his Majesty in another; for while the former had fairly and roundly declared the treaty with America to be final, conclusive, and irrevocable; the latter as roundly asserted the very contrary. He adverted particularly to what the earl of Shelburne had said on the sacredness of secrecy in this case.

DEBATE IN THE LORDS ON THE PRELIMINARY ARTICLES OF PEACE FEBRUARY 17, A. D. 1783.

Speaker, Earl of Pembroke:

That an humble Address be presented to his Majesty, to return his Majesty the thanks of this House for his gracious condescension in ordering to be laid before us the Preliminary Articles of the different treaties which his Majesty hath concluded, and to assure his Majesty that we have considered them with that attention which so important a subject requires.

To express in the most grateful manner to his Majesty our satisfaction, that his Majesty has, in consequence of the powers entrusted to him, laid the foundation by the provisional Articles with the States of North America for a Treaty of Peace, which, we trust, will insure perfect reconciliation and friendship between both countries.

That, in this confidence, we presume to express to his Majesty our just expectation that the several States of North America will carry into effectual and satisfactory execution those measures which the congress is so solemnly bound by the Treaty to recommend in favour of such persons as have suffered for the part which they have taken in the war; and that we consider this circumstance as the surest indication of returning friendship; and to acknowledge to his Majesty our due sense of that wise and paternal regard for the happiness of his subjects which induced his Majesty to relieve them from that burthensome and expensive war by the Preliminary Articles of Peace concluded between his Majesty and the most Christian Catholic Kings.

To assure his Majesty that we shall encourage and promote every exertion of his subjects of Great Britain and Ireland in the cultivation and improvement of those resources which must tend to the certain augmentation of our public

strength, and that with these views we shall most diligently turn our attention to a revision of all our commercial laws and endeavour to frame them upon such liberal principles as may best extend our trade and navigation and proportionably encrease his Majesty's naval power, which can alone ensure the prosperity of his dominions.

RATIFICATION OF THE DEFINITIVE TREATY BY CONGRESS, 1783.

Know ye that we, the United States in Congress assembled, having seen and considered the definitive articles aforesaid (meaning the treaty signed by the commissioners in Paris on the 30th of November, 1782), have approved, ratified, and confirmed, and by these presents do approve, ratify, and confirm, the said articles, and every part and clause thereof, engaging and promising that we will sincerely and faithfully perform and observe the same, and never suffer them to be violated by anyone, or transgressed in any manner, as far as lies in our power.

In testimony whereof we have caused the seal of the United States to be hereunto affixed. Witness his excellency Thomas Mifflin, President, this fourteenth day of January, in the year of our Lord one thousand seven hundred and eighty-four, and in the eighth year of the sovereignty and independence of the United States of America.

RATIFICATION OF THE DEFINITIVE TREATY BY GREAT BRITAIN.

George the Third, by the Grace of God King of Great Britain, France, and Ireland, Defender of the Faith, Duke of Brunswick and Lunenburg, Arch Treasurer, and Prince Elector of the Holy Roman Empire, &c., to all whom these presents shall come, greeting:

Whereas a definitive treaty of peace and friendship between us and our good friends the United States of America, viz, New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, was concluded and signed at Paris the 3d day of September last by the plenipotentiaries of us and our said good friends, duly and respectively authorized for that purpose, which definitive treaty is in the form and words following: [Here follows the treaty.]

We, having seen and considered the definitive treaty aforesaid, have approved, ratified, accepted, and confirmed it, in all and every one of its articles and clauses, as we do by these presents, for ourself, our heirs, and successors, approve, ratify, accept, and confirm the same, engaging and promising, upon our royal word, that we will sincerely and faithfully perform and observe all and singular the things which are contained in the aforesaid treaty, and that we will never suffer it to be violated by anyone or transgressed in any manner, as far as it lies in our power. For the greater testimony and validity of all which we have caused our great seal of Great Britain to be affixed to these presents, which we have signed with our royal hand.

Given at the court of St. James, the ninth day of April, one thousand seven hundred and eighty-four, in the twenty-fourth year of our reign.

GEORGE R.

**RATIFICATION OF THE TREATY (JAY) WITH GREAT BRITAIN,
1794-5**

George Washington, President of the United States of America, to all and singular to whom these Presents shall come, greeting.

Whereas a certain Treaty of Amity, Commerce, and Navigation between the United States of America and His Britannic Majesty was concluded and signed between their Plenipotentiary the Honourable John Jay, Chief Justice of The United States, and their Envoy Extraordinary to His said Majesty, and the Plenipotentiary of His Britannic Majesty, the Right Honourable William Wyndham, Baron Grenville of Wotton, one of His Majesty's Privy Council, and His Majesty's Secretary of State for Foreign Affairs, at London, on the 19th day of November, in the year of our Lord 1794, which Treaty is word for word as follow; to wit:

(Here follows the Treaty.)

And whereas the Senate of The United States did, by their Resolution on the 24th day of June, in the year of our Lord 1795, (all the Senators of The United States being then present, and 2-thirds thereof concurring), "consent to and advise the President of the United States to ratify the Treaty of Amity, Commerce, and Navigation, between His Britannic Majesty and the United States of America, concluded at London the 19th day of November, 1794, on condition that there be added to the said Treaty an Article, whereby it shall be agreed to suspend the operation of so much of the XIIth Article as respects the Trade which His said Majesty thereby consents may be carried on between The United States and his Islands in the West Indies, in the manner, and on the terms and conditions therein specified".

And whereas it will satisfy, and be conformable with the said advice and consent of the Senate, if there be added to the said Treaty an Article in the following words, that is to say,

ADDITIONAL ARTICLE.

"It is further agreed between the said Contracting Parties, that the operation of so much of the XIIth Article of the said Treaty as respects the Trade which His said Majesty thereby consents may be carried on between The United States and his Islands in the West Indies, in the manner, and on the terms and conditions therein specified, shall be suspended".

Now therefore, I, George Washington, President of the United States of America, having seen and considered the Treaty and Additional Article aforesaid, do, in pursuance of the aforesaid advice and consent of the Senate of the United States of America, by these Presents, ratify, accept, and confirm the said Treaty and the said Additional Article, as the same are herein before set forth.

And I do moreover hereby declare, that the said Treaty and the said Additional Article form together one Instrument, and are a Treaty between the United States of America and His Britannic Majesty, made by the President of The United States, by and with the advice and consent of the Senate thereof.

For the greater testimony and validity of all which, I have caused the Great Seal of the United States of America to be affixed to these Presents, and have signed the same with my hand.

Given at the City of Philadelphia, the 14th day of August, in the year 1795, and of the Independence of the United States of America the 20th.

(L. S.)

GEO. WASHINGTON.

By the President of the United States of America,

EDM. RANDOLPH,

Secretary of State for the United States of America.

RATIFICATION OF THE TREATY OF PEACE BETWEEN GREAT BRITAIN AND UNITED STATES, 1814

HOUSE OF LORDS.

THURSDAY, MARCH 16, 1815.

[Great Britain, Parliamentary Debates. Hansard first series 30, Mar. 6, 1815, to May 1, 1815, pp. 205, 206, 209, 500, 501, 513, 533, 649, 650, 651.]

TREATY WITH AMERICA.

The Earl of Liverpool laid on the table the Treaty of Peace with the United States of America, and gave notice of his intention to move the consideration of it on Wednesday.

Earl Grey wished to know whether it was the intention of ministers to lay before the House any information as to the previous negotiations.

The Earl of Liverpool answered in the negative.

Earl Grey observed, that it had been the practice to communicate information respecting negotiations which had terminated to the House; and that it would be impossible to come to the proper consideration of the Treaty without knowing what had been the previous demands, and in what manner those demands had been persisted in or retracted.

The Earl of Liverpool denied that it had been the practice to communicate information respecting negotiations that had terminated happily. On the contrary, he believed there was no precedent whatever of that nature. With respect to those negotiations that had broken off, it undoubtedly had been the practice to communicate information to Parliament. In the present instance, however, there was no necessity for any such communication, and therefore none was intended to be made; nor was it intended at all to recur to the negotiation, but to ground an Address to the Prince Regent, on the terms of the Treaty being satisfactory and advantageous to the country.

Earl Grey again urged the impossibility of properly considering the Treaty without having information of the previous negotiation, particularly if it should turn out, as he believed was the case, that we had rejected moderate overtures in the hour of elation and success, to which we had afterwards acceded when the time came of reverse and defeat. He did not know at the moment whether any precedent of such a communication existed, but he thought the information he sought for of so much importance to the proper discussion of the question that he should take an opportunity of moving for its production.

HOUSE OF COMMONS.

THURSDAY, MARCH 16.

TREATY OF PEACE WITH AMERICA.

Lord Castlereagh presented, by command of the Prince Regent, a "Copy of a Treaty of Peace and Amity between his Britannic Majesty and the United States of America, signed at Ghent, 24th

of December, 1814; the Ratifications of which Treaty were exchanged at Washington the 17th February, 1815." The noble lord said he should move that on Wednesday next the Report be taken into consideration by the House.

Mr. Horner wished to know whether it was the intention of the noble lord to lay before the House the papers respecting the negotiations which had lead to the treaty.

Lord Castlereagh replied that he by no means considered it a matter of course that the Executive should lay before the House all the papers which passed preceding the treaty. He conceived that the treaty itself might be submitted to the House for its approbation, and that it might be judged of on its own merits. This treaty had restored the two countries to peace, and it would be for the House to judge whether there was any thing in it contrary to the honour or the interests of Great Britain. It was not usual to lay before the House the details of a negotiation which ended in a treaty, unless the House should see something so reprehensible in the conduct of Government as to call for those details.

HOUSE OF LORDS.

MONDAY, APRIL 17.

ADDRESS ON THE TREATY OF PEACE WITH AMERICA.

The Earl of Liverpool rose to move an Address to the Prince Regent, approving of the Treaty of Peace concluded with the United States of America. As he did not anticipate any opposition, he did not think it at all necessary or proper to detain their lordships for any long time on this subject, or to enter upon any discussion of topics with respect to which he was aware that much difference of opinion prevailed.

* * * * *

On the whole, the noble earl considered the Treaty as equally honourable and advantageous to this country; and concluded by moving an Address to the Prince Regent, assuring his Royal Highness of the great satisfaction felt by the House at the terms and conditions of the Treaty of Peace concluded between Great Britain and the United States of America.

HOUSE OF COMMONS.

THURSDAY, MARCH 16, 1815.

TREATY OF PEACE WITH AMERICA.

Lord Castlereagh presented, by command of the Prince Regent, a "Copy of a Treaty of Peace [and Amity between his Britannic Majesty] and the United States of America, signed at Ghent, 24th of December, 1814; the Ratifications of which Treaty were exchanged at Washington the 17th February, 1815." The noble lord said he should move that on Wednesday next the Report be taken into consideration by the House.

Mr. Horner wished to know whether it was the intention of the noble lord to lay before the House the papers respecting the negotiation which had led to the treaty.

Lord Castlereagh replied that he by no means considered it a matter of course that the Executive should lay before the House all the papers which passed preceding the treaty. He conceived that the treaty itself might be submitted to the House for its approbation, and that it might be judged of on its own merits. This treaty had restored the two countries to peace, and it would be for the House to judge whether there was anything in it contrary to the honour or the interests of Great Britain. It was not usual to lay before the House the details of a negotiation which ended in a treaty, unless the House should see something so reprehensible in the conduct of Government as to call for those details.

ADDRESS ON THE TREATY OF PEACE WITH AMERICA, APRIL 11, 1815.

Mr. Hart Davis rose for the purpose of moving an address of thanks to the Prince Regent for the treaty of peace with the United States of America.

* * * * *

The honorable gentleman concluded with moving:

That an humble Address be presented to his royal highness the Prince Regent to return to his Royal Highness the most humble Thanks of this House for having been graciously pleased to lay before us a copy of the Treaty of Peace and Amity concluded and ratified between his Majesty and the United States of America: To assure his Royal Highness that, having fully considered the same, we reflect, with the utmost gratitude and satisfaction on the fresh proof that has been afforded by the conclusion of this important arrangement of his Royal Highness's anxious regard for the welfare of his Majesty's people; an arrangement which we trust will establish a perfect reconciliation and permanent friendship between the two countries united by so many ties of common origin and reciprocal interests.

Speaker, Mr. Ponsonby, April 11, 1815. With these sentiments, Sir, not thinking the Address moved by the hon. member such as ought to be presented to the Throne, I shall propose the following amendment:

To assure his Royal Highness that we contemplate with great satisfaction the restoration of a state of peace and amity between his Majesty and the United States of North America; but we should deem ourselves highly deficient in the discharge of our duty towards his Majesty and his people, were we not to express to his Royal Highness our deepest regret, that a measure so necessary to the welfare and prosperity of his Majesty's dominions was not sooner accomplished: That in reviewing the terms of the Treaty which his Royal Highness has been graciously pleased to lay before us, we are at a loss to discover what were the causes which so long retarded its conclusion: That, in our opinion, the honour of his Majesty's crown, and the interests of his people, both required that so soon as the peace of Europe had been established by the Treaty signed at Paris on the 30th of May, in the last year, the speediest and most effectual measures should have been adopted for the negotiation of a Treaty of peace with the United States of North America: That the complete and entire cessation of hostilities in Europe had removed or suspended the operation of the causes which had occasioned or accompanied the late war between his Majesty and the United States: That the elevated and commanding station which the United Kingdom then held amongst the nations of the world, would have rendered the manifestation of a sincere wish for the restoration of the blessings of peace with the United States, highly honourable to his Majesty's counsels; and would have afforded the Government and people of America the

most unequivocal proofs of the generosity and magnanimity of the British nation; of a sincere desire to bury in lasting oblivion the recollection of that hostility which then unhappily subsisted, and of its anxious wishes for the re-establishment of peace upon terms honourable and advantageous to both countries, and likely to insure its own permanency by the justice and liberality of its conditions: That we are the more deeply afflicted by the long and (as we deem it) unnecessary delay in the conclusion of peace, when we reflect upon the great and irreparable injury his Majesty and his people have sustained, by the unnecessary and unprofitable waste of treasure, by the loss of so many distinguished and heroic officers, and of such numbers of brave, loyal, and experienced troops; and we most deeply lament, that these calamities should be aggravated by the mortifying reflection that the fame of the British arms may appear to be diminished by the failure of the latest military enterprizes of the war: That it affords us, however, consolation to find that peace is at length re-established; and to assure his Royal Highness that it is the earnest wish and desire of this House to cultivate and maintain the most cordial and intimate union with the Government and people of the United States: That we rely upon his Royal Highness's wisdom and goodness to cherish and preserve the most friendly relations between them and his Majesty's subjects; and we confidently trust, that a corresponding disposition in the Government and the people of the United States will enable his Royal Highness to continue unimpaired and undisturbed the harmony now so happily restored between them; and that the two freest nations in the world may exhibit to mankind the grateful spectacle of mutual confidence and lasting peace.

Mr. Robinson supported the Address, and contended that no unnecessary delay had been occasioned by the British commissioners. With respect to the attack on Washington, as that event took place in the month of August, and the first meeting of the commissioners was on the 8th of that month, the event would have equally taken place, if they had concluded the treaty the first day of their meeting.

The House then divided:

For the Amendment	37
Against it	128
Majority	91

The Address was then agreed to.

GREAT BRITAIN

TREATY OF PARIS, 1856

THE TREATY OF PEACE

HOUSE OF COMMONS.

APRIL 28, 1856.

The Earl of CLARENDON. I rise, my Lords, to lay on the table of your Lordships' House a copy of the Treaty of Peace concluded at Paris, which has been signed by the Plenipotentiaries of England, France, Russia, Austria, Prussia, Sardinia, and Turkey. The ratifications of this treaty were exchanged yesterday, and have been received to-day. There are three separate conventions annexed to it, which will also be printed with it. There is also a declaration respecting maritime law, and the course to be pursued with reference to neutrals during time of war, which has been signed by the Plenipotentiaries on behalf of their respective Powers.

Lord BROUGHAM. To do away with privateering?

The Earl of CLARENDON. Yes, I have likewise to lay before your Lordships copies of all the protocols of the sittings and conferences, during the time of the session of the Congress at Paris; and I have now further to move, that this treaty be taken into consideration by your Lordships on this day week.

* * * * *

Viscount PALMERSTON. Sir, by command of Her Majesty I now lay on the table the Protocols of Conferences held at Paris, the General Treaty of Peace between Great Britain, France, Austria, Russia, Prussia, Sardinia, and Turkey; and the Declaration respecting Maritime Law. One of the papers which I have just presented in [sic] the copy of the Treaty of Peace, the ratification of which I beg to inform the House was exchanged at Paris in the course of yesterday. I now beg leave to move that those papers be taken into consideration on Monday next.

Motion agreed to.

TREATY OF PEACE—ADDRESS TO THE CROWN—QUESTION.

APRIL 29, 1856.

Mr. Layard said, that with reference to the notice which had been given by the noble Lord at the head of the Government upon the previous evening, that the treaty of peace would be taken into consideration on Monday next, he begged to ask whether the noble Lord proposed to move an Address to Her Majesty, and whether that Address would be submitted to the House before the discussion which was to take place on Monday commenced?

Viscount PALMERSTON. Sir, the usual course upon such occasions has been to move an Address to the Crown. A Motion of that kind, I may add, has generally proceeded from an independent Member of the House.

HOUSE OF COMMONS.

WEDNESDAY, MAY 7, 1856.

THE TREATY OF PEACE.

Report of Address brought up, and read, as follows:

Most Gracious Sovereign:

We, your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, beg leave to convey to Your Majesty our sincere acknowledgements and thanks for the important communication which Your Majesty has been graciously pleased to make to us of the General Treaty concluded at Paris on the 30th day of March, between Your Majesty, the Emperor of Austria, the Emperor of the French, the King of Prussia, the Emperor of Russia, the King of Sardinia, and the Sultan, by which Peace has been established between Your Majesty, the Emperor of the French, the King of Sardinia, and the Sultan, on the one hand, and the Emperor of Russia on the other:

We beg to assure Your Majesty, that, while we should have deemed it our duty cheerfully to afford Your Majesty our firm support if it had unfortunately been found necessary to continue the War, we have learned with joy and satisfaction that Your Majesty has been enabled to reestablish Peace, on conditions honourable to Your Majesty's Crown, and which fully accomplish the great objects for which the War was undertaken:

We beg leave to express to Your Majesty the great satisfaction which we feel, at finding that while those Alliances which have so mainly contributed to the vigorous and successful prosecution of the War, have been equally effective in the consolidation of Peace, Powers which have not taken an active part in the War, have combined with the belligerents to give additional firmness to the arrangements by which the repose of Europe is in future to be protected from disturbance:

We humbly state to Your Majesty that we rejoice that, notwithstanding the great exertions which the late War has rendered necessary, the Resources of the Empire remain unimpaired:

We beg to express our hope that the Peace which has now been concluded, may, under the favour of Divine Providence, long continue to shed its blessings over Europe; and that harmony among Governments and friendly intercourse among Nations may steadily promote the progress of civilisation, and secure the welfare and happiness of Mankind.

Address agreed to.

To be presented by the whole House.

TUESDAY, MAY 8, 1856.

HER MAJESTY'S ANSWER TO THE ADDRESS ON THE TREATY OF PEACE.

Mr. Speaker reported Her Majesty's Answer to the Address, as follows:

I thank you for this loyal and dutiful Address.

I gratefully acknowledge the zealous and cordial cooperation of My People in the prosecution of the late War, and the firm and uniform support by which you have enabled Me, in conjunction with My Allies, to conduct it to a satisfactory and honourable conclusion.

While it is most gratifying to Me to know that the resources of this Empire remain unimpaired, I heartily concur with you in the hope that, under the favour of Divine Providence, a Peace based on the common interests of Europe may be long continued, and may promote and secure the welfare and prosperity of My People, and the civilisation and happiness of mankind.

FRANCE

NEGOTIATIONS AND PROCEEDINGS OF THE FRANCO-GERMAN TREATY MADE AT FRANKFORT, 1871

WITH ACCOUNT OF THE EXCHANGE OF RATIFICATION

[From Contemporary France, by Gabriel Hanotaux, translated by John Charles Tarver.]

THE TREATY OF FRANKFORT.

France was a prey to civil conflicts and party-dissensions, and she was not yet assured either of her independence, or even of her existence. The foreign armies occupied nearly half the national territory. Paris was in the hands of insurrection, when the peace with Germany was not even yet concluded. We had not got further than the preliminaries signed at Versailles on the 26th of February. According to this document it was agreed that the definitive negotiations should take place as soon as possible at Brussels; that is to say, upon neutral territory.

The two peoples which had just engaged in a desperate contest upon which depended for both alike territorial integrity, empire, supremacy, had one last ordeal to pass through. They were going to measure their strength afresh. But this time no longer on the field of battle. The problem was entirely intellectual and moral. It was no longer a question of one of those victories of matter, perhaps fortuitous, which are assured by a long preparation, of fortunate organization, but of one of those masterly encounters, in which mind grips mind, in which wisdom establishes a decision and foundation for the future.

On the side of France the question was to know the quality of the inner forces with which she would react against the events which had brought her down, and were still pressing on her: what her power was, and whether, at the moment when she seemed so close upon death, she would recover life and strength; what confidence she had in herself, what confidence she could inspire in others, what elasticity, what vitality. The question was to know what good faith and loyalty she could bring to the execution of her engagements, what spirit of sacrifice in accepting the consequences of her errors, what resignation in the path of sorrow upon which she was to tread, what sentiment of national solidarity; what prudence, what resources and what self-denial in dealing with the present generation with the object of guaranteeing and contriving the continued life and happiness of future generations.

As for Germany, the question was whether she was going to fulfil completely the lofty destiny which was assured to her by the situa-

tion which she had reconquered in the center of Europe. She had just effaced by an unparalleled effort the last trace of the Thirty Years' War; she had recovered the material greatness, the fulness of life, the exuberant vigour which had made her famous in the prosperous years of the Middle Ages. She was once again "the womb of peoples." Planted on all the great rivers, she dominated the great European interests.

With what wisdom, with what authority, with what tact—I will almost say, with what good nature—was the new Germany going to make use of this unexpected good fortune? Not to perpetuate the state of war, to inaugurate an harmonious and balanced life for Europe, to assert himself by reason rather than by might, here was an enterprise worthy of a conqueror crowned by fortune. A Saint Louis would have attempted it. A Richelieu would have faced it. Bismarck himself had given at Nikolsburg some idea of such an empire over oneself, and of a moderation so full of strength.

The period of hostilities was at an end. The exact problem which was propounded was the following: What would be the nature of the new relations between the two peoples? Peace or a succession of wars? It was necessary to choose, to take a line. The most commonplace of the solutions, the one which demanded the least intellectual exertion and the least control over self and facts, would be the system of peace under arms.

This last solution was that of the Head Quarter Staff. It had prevailed at Versailles. But a last recourse to the diplomatists was still open at Brussels. Unhappily, the deadly germ was already laid in the text of the Convention of the preliminaries. Quite exceptional energy would have been necessary to break with the angry clauses already ratified, or, at least, exceptional skill would have been needed to modify the course of events, when the very sources were already poisoned.

The crowning error of German diplomacy and Prince Bismarck under the circumstances arose, perhaps, from the fact that their victory took them by surprise to such a degree, that they were never willing to believe it completely assured and accomplished. Successful by means of war, they no longer had confidence in anything but war. It became their sole instrument. They prepared it without intermission. Their shortsightedness consists in not having foreseen the durability of peace. They made all calculations excepting the most simple of all. They faced all eventualities, except the normal course; so feeble is the strength of the strong man! Not believing in peace, they did not know how to organize it; it was a perpetual surprise to them, and, in one sense, a perpetual check.

Let us look at the facts:

In a hurry to return to Berlin, which he had left in August, 1870, Bismarck accredited as provisional plenipotentiary with the French Government the Saxon General Baron von Fabrice. He thus constituted in France a kind of armed legation, which had its seat first at Rouen, then at Compiègne, at Soisy-sous-Etioles, at Nancy, and, lastly for a little more than a month, at Verdun.

In creating this mechanism, at once diplomatic and military, the German Government conformed to the exigencies of the situation. Although hostilities had come to an end, the army pressed with too

heavy a weight upon events; it had too numerous and too delicate relations with the country under occupation to enable the whole authority to be withdrawn from its chiefs at a time when war was still mistress of peace.

In this way several conventions appended to the preliminaries of Versailles were concluded: one regulating the restoration to the French authorities of the railway, postal, and telegraphic services, which had been requisitioned by the German authorities during the invasion; others determining the conditions of the residence of the Germans in France, the repatriation of the French prisoners; restoring to France at last the civil authority and collection of imposts in the Departments under occupation.

Meanwhile the 7th Article of the preliminaries of Versailles stipulated the opening of negotiations for the definitive Treaty of Peace at Brussels.

M. Thiers was in a hurry to get it over. Already, on the 9th of March, 1871, he caused the names of the French plenipotentiaries to be inserted in the *Journal Officiel*: Baron Baude, accredited by the French Government at the same time as Minister to the King of the Belgians, and M. de Goulard, a member of the National Assembly and personal friend of the Head of the Executive Power. The names wanted distinction; the persons, authority. Furthermore, by the choice of M. de Goulard, M. Thiers evidently intended to keep a strong hand over the definitive negotiations for peace, and perhaps here, too, to ensure, up to a certain point, a kind of collaboration of the Assembly in the labours of the Conference.

The plenipotentiaries for Germany were Count Harry von Arnim, Prussian Minister to the Holy See, and Baron von Balan, the Minister to Brussels. Bavaria, Wurtemberg, and the Grand-Duchy of Baden also appointed representatives.

There was further appointed a mixed military commission comprising, for France, General d'Outrelaine and Colonel Lausseedat, and for Germany, General von Strantz, Hauchecorne, engineer of mines, and Herzog, government assessor. This commission was more specially charged to give its opinions on questions affecting the frontier not sufficiently defined by the Treaty of the preliminaries.

The members of the Conference met on the 24th of March, 1871.

Whatever were their mutual intentions, they were held in suspense, so to speak, by the grave event which was then happening: the outbreak of the Commune.

This fresh calamity was calculated to justify every kind of mistrust with reference to France: at the same time it gave Bismarck all the advantages. The Government of M. Thiers was about to be absorbed in the domestic struggle.

That is not all: At the very moment when resistance to the fresh demands of the foreign negotiator was necessary, he was necessary to us. For it was necessary to ask him to hasten the repatriation of the prisoners who were to form the army summoned to suppress the insurrection. How could it be supposed that he would not give way to suspicions only too justifiable, and that he would not abuse so favourable a situation?

From this time a double and conflicting apprehension is to be seen taking form in the mind of Bismarck, which is, perhaps, nothing but

a bit of clever play; he feared, on the one side, that a party of violence might take possession of France and that Germany might be compelled to intervene afresh to ensure the payment of the debt of five milliards contracted with her; he feared, on the other side, that France might recover too quickly, and that she might take advantage of some European event to hurl herself into a war of revenge before the payment of the five milliards was completed. On the one or the other hypothesis the fate of this debt made him very anxious. Tossed between two causes of mistrust, he gave, he withdrew, he encouraged, he terrified, practising from that time that policy of "the hot douche and the cold douche," to which he himself gave a name in the sequel.

Did he go further? Did he dip his fingers in the various conspiracies which were being woven in the open day, or secretly, against the Government which was guiding France, in other respects, too, so fragile, so ephemeral. The relations of Germany with the Commune were impressed with a reserve, a courtesy, which has often been noted; the multiplication of chassepots in the hands of the insurgents, the part played by Dombrowski, some other indications have sometimes permitted suspicions, which, however, have had no definite confirmation.

M. Jules Favre, who examines this question, determines it in the negative: "For my part," says he, "I do not hesitate to affirm that the German Government neither prepared nor provoked the insurrection of the Commune."

One day probably we shall have more precise information on these facts, and on the skill with which Bismarck knew how to make use of the threat of a restoration of the Empire. We see clearly from the documents in the Arnim action, that this is the direction to which the sentiments of the German Court inclined, and M. Gavard says that the case was the same in England. Some day or other perhaps this phrase from the German Ambassador in Paris, Count von Arnim, will be explained:

My opinion, already expressed elsewhere, is that we ought not to repel the tentative efforts made by the Bonapartists to enter into relations with us. And that, all the less, because of all the parties, they are the only one which openly seeks our support, which inscribes reconciliation with Germany in its programme.

A phrase confirmed by Bismarck's own:

The party of the Empire of the Bonapartes is probably the one with which one could still flatter oneself the most reasonably on the prospect of establishing tolerable relations between France and Germany.

In any case, in order to produce the different effects by which he reckons to alarm, surprise and dominate the French Government, the Chancellor employs with a remarkable technical ability the different means of negotiation that he has at his disposal. The threat of an understanding, whether with the Imperial family or with the Commune, is always called into action at the right moment.

Further, the fashion in which the double conferences are conducted, on the one side at Brussels where the diplomatists meet, on the other side at Rouen with General von Fabrice; and presently as Compiègne, where Von Manteuffel, replacing Von Fabrice, commands the Germany army of occupation, this procedure gives facilities to a double game.

It is singular to a striking degree that the military chiefs generally show themselves humane and accommodating, while the diplomatists are punctilious and exigent. Furthermore, the Emperor and Bismarck watch the game attentively from Berlin, the latter always reserving to himself the power of intervening at need and pronouncing his *quos ego*.

To complete the picture it would be necessary to indicate with a still firmer pencil the situation of Prince Bismarck himself. Was the master of Europe master of his own position? Did not the mysterious policy of the Courts at that time hamper the giant conqueror of destiny with threads spun from its spider's web?

Around the Emperor William a nervous, suspicious, insatiable party had continued itself even after the war. It was the party of the Head Quarters Staff which certainly seems at that time to have found a powerful and implacable leader in the cool Marshal von Moltke. This is the party which, as we have seen, is said to have insisted on the clause relative to Metz and Lorraine in the preliminaries of peace. This is the party which reproached the negotiator with not having kept Belfort, and which noisily advertised facts likely to make France odious and did not shrink from the idea of a fresh war, having for its issue the complete and definitive ruin of that country.

From Bismarck's own account, the military party, swollen by the German victories, held Bismarck himself in check. The Chancellor gave it pledges, or perhaps feigned to give way to it, at the moment when, at Versailles, at Brussels, and at Compiègne, he was guiding the rigorous negotiation in which his masterful diplomacy delighted. In truth one would have said that he sometimes regretted not having got every possible advantage out of the situation, not having sold peace at a high enough price, and that he could not resist the temptation to go back repeatedly on a bargain, whose conditions, however, had been dictated by himself.

This sentiment appears already on the 6th of March in a despatch addressed from Rouen to M. Jules Favre. Four days have barely gone by, and he complains that the clauses of the convention are not yet carried out by a Government which as yet has no resources at its disposal, no means of action!

In this document, threatening in form, the Chancellor obtrudes a lively sentiment of mistrust with regard to France. According to his habitual procedure he enumerates his grievances and draws up an indictment: Paris has retained a garrison of more than 40,000 men; the French Army has not operated its movement in retreat to the south of the Loire; France has not yet restored the German prisoners; the subvention destined for the support of the army of occupation has not yet been paid; he announces, in consequence, that he suspends the evacuation of the West. The tone of this letter indicates the character of deliberate harshness which will henceforth be that of the whole of this negotiation:

The suppression and punishment of these violations of the peace by threats of military violence is inevitable.

As soon as the Commune breaks out, the situation becomes envenomed. It was doubted at Berlin whether the Government of Versailles could make itself master of the situation. Count von

Arnim declares on the 24th of March, "that his Government wishes to put an end to it at once." Simultaneously Gen. von Fabrice tells M. Jules Favre that Germany is not far removed from fearing an understanding between Paris and Versailles to renew the war.

On the 21st of March, von Balan read to the French Minister a despatch from Prince Bismarck, in which France was informed of an intervention to repress the insurrection, but at the same time the Government of M. Thiers was offered the material and moral support of Prussia to overcome it—a two-fold peril which M. Thiers felt to be menacing to him either way.

The labours of the Conference at Brussels did not really open till the 28th of March, in a room of the Ministry of Foreign Affairs. The French plenipotentiaries had not received, it is declared, any official instructions. It is, however, probable that M. Thiers maintained personal communications with them, and that he traced the line of conduct for them to follow.

On the other hand, Count von Arnim had been present on the 14th and 15th of March at two Councils of Ministers, in which all the important stipulations of the final peace had been examined and determined.

The Germans brought forward a programme at the outset of the Conference postulating the following five conditions: 1st, the five milliards of the war indemnity should be paid in coin; 2nd, that portion of the railways comprised in the ceded territories should be handed over to Germany without any other condition than an indemnity for the holders of bonds; 3rd, the commercial treaty of 1862 and all the other treaties abolished by the war should resume effect; 4th, an indemnity should be allotted to Germans expelled from France; 5th, lastly, a clause relative to respecting private property at sea should be introduced into the treaty of peace.

Each of these articles was an aggravation of the clauses of the preliminary treaty. Five milliards *in coin*: The whole of Europe could not have faced such a displacement of money. To seize without indemnity railways constructed upon the territories ceded to Germany was to attack private property, for these lines did not belong to the State. To renew without discussion the commercial treaty of 1862 was to consecrate the economic subordination of France, and to take from her the means of facing her debt by organizing her system of tariffs and the defence of her commerce and her industries in accordance with the new necessities. To allot a special indemnity to Germans expelled from France was to open the door to endless claims of which Bismarck himself said that "it was impossible to estimate them."

The French plenipotentiaries, in virtue of their character, and because the discussion had been opened in a neutral country, that is to say with all guarantees for liberty of discussion, had as their simply duty to oppose a refusal to propositions so excessive, and, in truth, so incapable of being realized.

Taking inspiration from the precedent of 1815 they proposed: 1st, to pay one milliard in specie, and the rest in bonds at 5 per cent; 2d, to fix the evacuation of French territory for the 1st of July, 1871; 3rd, as a counterstroke to the proposition concerning private property at sea, they demanded the introduction into the treaty of

a clause relating to the respect for private property on land; 4th, and lastly, with a just application of right and precedents, they demanded that Germany should take over the share of the national debt falling upon Alsace and the annexed portion of Lorraine. By a singular mistake, the German negotiators relying upon a pretended omission of M. Thiers at Versailles, this important matter had not been considered in the preliminaries.

After having heard the French counter-proposals Von Balan declared that the scheme of the articles fixed by him ought not to open discussions of principle. Did they want to give the character of an ultimatum to the German proposals?

On the 30th of March von Fabrice accentuated still more the comminatory attitude of the Berlin Cabinet by telegraphing to M. Jules Favre that Prince Bismarck thought it indispensable to enter "into an examination of the position which might be caused for Germany by the eventualities of the actual crisis."

He declared also to the French plenipotentiaries that the prolongation of the negotiations at Brussels might be considered as an alteration of the preliminaries and a return to the state of war. Evidently the desire was to exercise pressure upon the French Government by all these means, and there was a hidden thought which was kept in reserve to be revealed at the opportune moment.

To open the struggle with the Commune, M. Thiers had been obliged to ask of Germany authority to raise the garrison of Paris, which had become the army of Versailles, from 40,000 to 80,000 men. M. Nétien, Mayor of Rouen, was charged with the negotiation. Bismarck, who thoroughly understood the interests which he had in seeing order reestablished in France, consented, with a private reservation to get something in return for this concession at Brussels. In fact, M. Albert Sorel remarks in his diplomatic history of the Franco-German war, "every advantage obtained for the benefit of social order was paid for by a retreat upon the field of diplomacy."

Twice M. Jules Favre went to Rouen to settle disputed points with General von Fabrice. In the anxiety which prevailed as to the intentions of Germany, the dread which was felt of seeing her intervene at Paris, M. Jules Favre went so far as to propose, on the 4th of April, to simply convert the preliminaries of peace into a definitive treaty.

On the other hand he was obliged to ask to raise the army of Versailles to 100,000, then to 150,000 men, by incorporating in it the prisoners, whose restoration he demanded insistently.

Bismarck consents to liberate our soldiers, but he presses the more heavily on the negotiations at Brussels. The Conference had been going on for a month without advancing a single step. The question of the definitive frontiers had not yet been touched, and it was the knot of the debate.

On the 3d of April Count von Arnim opened the question. In the preliminaries of Versailles one single point had remained in suspense: it was the delimitation of the radius of action which was to be left to France around the fortress of Belfort. On both sides alike different projects of modification of the treaty on this subject had been conceived. The French Government knew that the Cabinet of Berlin would need its help to render endurable the economical

situation which the annexation of Alsace-Lorraine would create for those provinces themselves and for Germany. It hoped, then, by lending itself to concessions on this point to be able to obtain an extension of the radius of action round Belfort, so as to restore to France the territory comprised between Belfort and Mulhouse.

Germany, on her side, was feeling regret for not having secured to herself the districts rich in iron ore which stretched along the new frontier from the direction of Thionville, and which, moreover, assured the communications between France and the Grand-Duchy of Luxemburg.

This is the serious subject which was opened by Count von Arnim on the 3d of April, and which occasioned one of the chief discussions between the plenipotentiaries of the two powers. The French Commissioners replied by a counterproposition tending to modify the preliminaries of peace in the direction of the retrocession to France of the territory situated between Mulhouse and Belfort.

They were far from agreeing. The discussion threatened to go on forever. The French plenipotentiaries debated foot by foot and with a force of argument which there was every reason for stifling, because it was equitable and sound.

The month of April passed away.

In order to press upon the negotiations, France was tortured with claims sometimes on the details of the occupation, sometimes on the requisitions. The Government was threatened with a German intervention against the Commune. M. Jules Favre was obliged to write on the 26th of April:

I receive your telegram; I can only explain it by a fixed intention of breaking off entirely.

Between the Commune and Germany the French Government, so weak was it, was held as though in a vise. Meanwhile Bismarck took note that the success of M. Thiers against the Commune was now only an affair of a few days. He wished then to conclude the peace without delay; in fact, when once order was completely re-established France would have more freedom of mind for debate. On the other hand, the service rendered to the general cause of order by M. Thiers might enlist the active sympathy of Europe in favour of his Government.

Lastly, rumours inconsiderately spread in the lobbies at Versailles as to the material impossibility of paying five milliards in the time appointed; the somewhat blustering pride affected by a certain number of deputies at the sight of the rapid reconstitution of the army; all this, transmitted to Bismarck by his agents, caused him to fear that France would soon be in a condition to debate the terms of peace with more tenacity.

In the last days of April he decided to lean with all his weight upon the French Government, and to have recourse, if need be, to the extreme procedure of the ultimatum.

On the 2d of May, in a despatch "more threatening than any of the others," says M. Jules Favre, the Chancellor expressed very serious apprehensions as to the good faith of France in the execution of the preliminaries of peace. On the 3d of May General von Fabrice wrote to M. Thiers that "the French proposals at Brussels were contrary to the spirit as also to the letter of the preliminaries."

Bismarck did not wish to remain in uncertainty any longer. It was necessary "to come to an understanding." If the negotiations did not come to a satisfactory termination,

Germany would occupy Paris either on agreement with the Commune, or by force, and once in possession of this pledge would demand from the Government of Versailles, that in conformity with the stipulations of the preliminaries of peace, it should withdraw the troops behind the Loire.

At the same time, making use of an artifice which had hitherto been infallible, Bismarck caused the rumour that he was negotiating with the Imperial family to be spread abroad.

M. Jules Favre was, as he wrote, "at the end of his patience, at the end of his strength." He betook himself to Soisy-sous-Étioles (Seine-et-Oise) whither von Fabrice had transported himself, and demanded an interview with Bismarck, if the latter consented to meet him half-way. M. Thiers himself wrote on the 4th of May to Baron von Fabrice:

I have no wish to decline the pledges that have been taken; but it is my duty not to let them be exaggerated. For this reason I have eagerly and confidently welcomed the idea of an interview between Prince Bismarck and MM. Jules Favre and Poyer-Quertier.

Prince Bismarck was reaching his end. He thus snatched the negotiations from the procrastinations of Brussels. Reentering upon the negotiations in person he undertook to bring matters to an abrupt conclusion. The proposal was accepted. A meeting was fixed for Saturday, the 6th of May, 1871, at Frankfort. The conferences at Brussels were broken off on the 4th of May.

M. Thiers joined to the Minister of Foreign Affairs M. Poyer-Quertier, Minister of Finance; he gave them full power to negotiate, reserving a reference to Versailles before concluding.

The two French Ministers left Versailles on the 4th of May. Recognized at the Pantin station at the moment when he was going to enter the train, M. Jules Favre was very nearly carried off by a band of insurrectionists.

MM. Jules Favre and Poyer-Quertier arrived at Frankfort in the afternoon of the 5th of May. Bismarck joined them in the course of the night.

On the French side, as M. Jules Favre declared to the National Assembly, the state of mind was such that they were ready to submit to all the Prussian demands. As for Bismarck, he displayed but a meagre faith in the success of the interview.

The Chancellor had announced his visit for the following day; M. Jules Favre, thinking it right to be the first, went in the morning, accompanied by M. Poyer-Quertier to the Swan Hotel, where a first interview took place. This preliminary conversation was very cool on both sides. M. Jules Favre explained that in proposing the meeting he had wished to eliminate the uncertainty which prevailed in respect of the relations between the two countries: he declared that France was ready to conclude the definitive peace.

Bismarck then repeated with a certain asperity the recriminations previously formulated. He complained bitterly of the failure to execute the preliminary clauses of February the 26th, protested against the long duration of the second siege of Paris, asking himself whether the French Government would have the necessary

strength to deal with the insurrection. In any case he considered that everything was again at issue: he declared that the guarantees given to Germany were disappearing, and asserted that he had received an order from the Emperor to demand fresh ones, which would form the subject of an additional convention.

Resuming the terms of the last communication of General von Fabrice, he declared that, in case of refusal, Germany would demand of France the strict execution of the preliminaries of Versailles, and notably the retreat of the French Army behind the Loire with the exception of 40,000 men. Furthermore, Germany intended to reserve her liberty of action for the suppression of the insurrection of Paris, as well as for the choice of a town where the further peace negotiations should be continued, Brussels having become henceforth impossible.

To this overpowering utterance, M. Jules Favre replied by protesting afresh the loyalty of France, repeating his offer to convert the preliminaries of Versailles into a definitive offer of peace, and alleging that the failure to execute certain clauses of this latter treaty was, for the moment, a case of stress of circumstances on the side of France.

Bismarck did not conceal that what he feared above all was to see the guarantees given to Germany vanish in all that concerned the payment of the contribution of war. He insisted again on receiving information on this subject, and added,

I think that if we come to an understanding on this point, we shall very quickly have arranged all the others.

M. Jules Favre having begged him to indicate his conditions, Bismarck demanded that

It should be stipulated that Germany should reserve to herself the power of determining the moment when the French Government should appear to her sufficiently firmly established to render the evacuation of France by the German armies possible.

Then handling the discussion at his own pleasure, and by an artifice in which he specially delighted, he suddenly assumed an air of severity and added:

I can not conceal from you that I am the bearer of an ultimatum, which, thanks to the frankness of your explanations, I consider useless; however, I am unable to relieve myself of the obligation of presenting it to you.

And he announced to M. Jules Favre that this formality would take place on the following day.

Accordingly on Sunday, the 7th of May, the Chancellor, in full uniform, accompanied by the whole of his suite, betook himself to the Hôtel de Russie, where the French negotiators were staying, and read, "in a grave and penetrating voice," says M. Jules Favre, the note which he had prepared, and which was nothing more than an epitome of the recriminations formulated the previous evening.

This proceeding accomplished, and its effect produced, the negotiations went on. They lasted three days. M. Thiers kept incessantly telegraphing to the two French ministers to finish at any cost. In this decisive debate were seen the points on which Bismarck really intended to be firm.

On the 10th of May at two o'clock in the afternoon the treaty was signed in a room of the Swan Hotel.

At this very moment M. Jules Favre received a telegram from Versailles announcing to him that Fort Issy had just been taken from the insurgents.

Various contentions with reference to secondary questions were concluded at the same time; the last details were deferred to future conferences which were to be held at Strasburg.

The definitive peace was then signed, as Bismarck had wished, before the defeat of the Commune restored a fuller liberty of action to the French Government. Even up to this last phase France was subjected to the fatality which had weighed upon her since the opening of the war.

The Treaty of Frankfort of the 10th of May, 1871, singularly aggravated the preliminary clauses of peace, and added others very painful for France.

The most serious alteration bore upon the occupation of the territory by the German armies. According to the terms of article 3 of the convention of Versailles the Departments of the Oise, Seine-et-Oise, Seine-et-Marne, the Seine, and the forts of Paris on the right bank were to be evacuated after the payment of the first half-milliard. On the contrary, by the terms of article 7 of the treaty of Frankfort, paragraph 5, the evacuation was deferred, either to the re-establishment of order in France, or to the payment of the third half-milliard.

While the Convention of Versailles did not specify the manner of payment of the indemnity of war, the Treaty of Frankfort, excluding notes of the Bank of France, demanded the payment in bullion, gold or silver, and gave a limiting statement of the values admitted by the German Government.

This demand, so contrary to all precedents, and so excessive in the eyes of competent financiers, caused a suspicion that Germany hoped to retain, under this head, a means of bringing pressure to bear upon French policy.

The treaty thus fixed by its 7th article the manner of quittance for France of the war indemnity of five milliards: 500 millions were to be paid within the thirty days following the re-establishment of the authority of the Government of Versailles at Paris; one milliard within the course of the year 1871, and a half-milliard by the 1st of May, 1872. As for the three last milliards, they would be payable in conformity with the preliminaries of Versailles by the 2d of March, 1874.

From the military point of view the Convention of Versailles did not limit the garrison of Paris, and only compelled the French army to remain behind the Loire up to the signature of peace; the Treaty of Frankfort limited the garrison of Paris to 50,000 men and forced the French army to remain on the left bank of the Loire till the moment when the Germans should judge that order was re-established in France, or till the payment of 1,500 millions.

Contrary to the preliminaries of Versailles, the Treaty of Frankfort gave the troops in occupation the right of "raising requisitions inside the Departments occupied, and even outside," if the French Government did not punctually fulfill the obligations contracted by it for the maintenance of these troops.

The question of the commercial relations between the two countries was decided in terms which Germany thought at first advantageous for herself, but in which the competence of M. Thiers and M. Pouyer-Quertier could discern, even then, advantages for France.

Bismarck, like the German plenipotentiaries at Brussels, had insisted very energetically that the commercial treaty concluded between France and Germany in 1862, and which reaching its term only in 1877 had been abrogated by the act of war, should be extended by ten years, that is to say till 1887.

Upon very clear instructions from M. Thiers, who was desirous of returning to the protectionist system, M. Pouyer-Quertier had demanded that France should preserve her full liberty. The discussion was lively. Bismarck even declared that he "would rather begin the war of cannon balls again than expose himself to a war of tariffs." M. Pouyer-Quertier resisted foot by foot. At last it was agreed that Germany should abandon the prolongation of the treaty by ten years, and that the two powers should take for the basis of their commercial relations the system of reciprocal dealing upon the footing of the most favored nation, limiting this rule to England, Belgium, Holland, Switzerland, Austria, and Russia.

In spite of the powerful economical advance of Germany, this arrangement has not, up to now, dealt too serious a blow to French commerce. The *modus vivendi* adopted presents a certain advantage, as it has removed contention and evaded the friction which each fresh lapse of the treaty could not have failed to bring about between the two countries. But it is probable that a fuller liberty, secured on both side, would have given commercial relations an activity which has been wanting since 1870.

Lastly, by the terms of article 9 of the treaty, and in conformity with an arrangement concluded on the 9th of April between M. Pouyer-Quertier and the delegates of Alsace-Lorraine, "France pledged herself to receive free of duty the products of the annexed countries up to September 1st, 1871." This was an amiable concession made to Germany, but also to the populations annexed. The honourable sentiment by which it was dictated did not, perhaps, permit the French negotiator to get all the advantage out of it which was open to him.

Article 12 specified that Germans having obtained authority to fix their domiciles in France were restored to all their rights and could establish their domicile afresh upon French soil. It added that the delay stipulated by the law to obtain naturalization would be considered as not being interrupted by the state of war, and that account would even be taken of the time that elapsed between their expulsion and their return to French territory as if they had never ceased to reside in France.

Concerning the grave question of the extent of the military radius round Belfort, Bismarck had caused a clause to be inserted in the treaty which left to France the option either of the radius originally fixed at seven kilometres, or of a territorial extension which assured her nearly the whole administrative district of Belfort, but in this case, on condition that she should cede to Germany a slip of territory 10 kilometres in length on the frontier of Luxemburg. In this quarter an area of 10,000 hectares, with a population of 7,000 was

concerned; near Belfort the new zone comprised 6,000 hectares and reckoned 27,000 inhabitants.

Looked at thus, the combination might appear advantageous to France; but in order to obtain the district round Belfort the plenipotentiaries were none the less by way of abandoning to Germany 7,000 inhabitants, who were authorized by the terms of the preliminaries to believe that they would remain French. On the other hand, all communication with Luxemburg was cut off, and, from the economical point of view, our rivals were left mining country around Longwy, of which the value was estimated at more than a milliard.

If they had been less hurried to conclude, more convinced of the possibility of resisting the demands of Prince Bismarck, more enlightened upon the mineral value of the territories demanded from them, the French plenipotentiaries would not perhaps have admitted so easily the principle of conceding to Germany advantages in Lorraine in exchange for an expanse of territory, which, by the terms of the treaty itself, was recognized as belonging to France except that its boundaries were not fixed.

But the French plenipotentiaries found themselves at once paralyzed and terrorized by the procedures of Bismarck. The excessive demands formulated at the time of the first conference at Brussels had facilitated the later acts of intimidation of the powerful negotiator. In the end there was amazement at his "moderation" at the moment when he was realizing his aims. M. Thiers, obliged to hold his ground everywhere at once, does not cease to demand peace, peace at any price. He was always afraid that some unforeseen accident might deprive him of the rewards of his labours.

At the very moment when he was victorious over the Commune, he was still apprehensive of a rupture on the part of Prussia. Thus he hurled himself upon the new sacrifices which were imposed upon him, thus, on both sides, demands were formulated and accepted which kept hostile sentiments alive and irritated the wounds, which every effort should have been made to soothe and cure.

M. Jules Favre, always in terror and always in tears, added to the anxieties of M. Thiers. He wept and trembled when he ought to have remained calm and kept a stout heart.

M. Pouyer-Quertier did not allow himself to be intimidated by the artifices of Bismarck so much as M. Jules Favre, or paralyzed by the orders that came from Paris. When the Minister of Foreign Affairs gave him the opportunity, he opposed some resistance to the Chancellor.

Thus he preserved to France in the quarter of Belfort the valley of the Marcine, of which all the inhabitants speak French, and which assures, by Delle, the most direct communication between France and Switzerland. On the same day he had gained, as a personal favour, the retrocession of the commune of Villerupt, which includes very important mines of short iron. Previously Villerupt was included in the territories abandoned to Germany in exchange for her consent to extend the radius of the frontier around Belfort.

Bismarck had just said that he would make no more concessions. M. Pouyer-Quartier replied to him:

If you were the conquered party, I give you my word that I would not have obliged you to become a Frenchman, and here you make me a German.

How is that?

Exclaimed the Chancellor:

And who is talking of taking your Normandy? I do not understand in the least.

The thing is, however, very simple, Prince. I am one of the principal shareholders in the forges of Villerupt, and you see clearly, in this quarter, you make me a German.

Well, well,
said Bismarck:

Don't cry about it. I leave you Villerupt. But do not ask me anything more, or I shall take it back again.

Concerning the exchange of territory between the radius of Belfort and the district of Thionville, the French plenipotentiaries had been unwilling to accept the responsibility of coming to a conclusion, and it was stipulated by the treaty that the National Assembly, when it voted the ratifications, should have the power of rejecting this combination, and of contenting itself with a maximum radius of seven and a half kilomètres round Belfort.

As for the question of the share in the national debt bearing upon the annexed provinces, if we accept the narrative of these painful negotiations written by M. Jules Favre, it was not even discussed.

Prince Bismarck only consented after long debate to grant an indemnity of 325 millions for the portion of the railways of the East included in the territories detached from France; this sum was to be struck off the second account of the war indemnity.

MM. Jules Favre and Pouyer-Quertier returned to Paris, and the definitive treaty of peace was deposited at the Bureau of the National Assembly on the 13th of May, 1871. A Commission was immediately named, before which a lively discussion took place on the question of the exchange of frontiers round Belfort, and on the frontier of Luxemburg. M. Thiers, on being heard before the Commission, insisted with extreme vivacity on the acceptance of the ratification. According to him, a refusal to ratify might lead to war.

A technical Commission had been constituted on the 15th of May by the Minister of War. Presided over by General de Chabaud-Latour, it included Generals Fournier and Chareton and the Colonel of Engineers, Laussedat, who had been a member of the French Commission of delimitation joined to the plenipotentiaries of Brussels. At a first meeting the Commission pronounced, unanimously and formally, for the rejection of the exchange and for the retention of the frontier round Belfort.

M. Thiers, on receiving information of this opinion, flew into a violent passion and tried to make the Technical Commission amend its decision. It then held a second meeting, in the course of which Generals de Chabaud-Latour and Fournier modified their opinions, while General Chareton and Colonel Laussedat persevered in their opposition.

M. Thiers would not give way at any price. In his eyes the opening of fresh negotiations would have presented a real peril, seeing that the conclusion of the definitive peace had been so laborious.

On the 18th of May the public discussion opened, on the motion of M. de Meaux, who declared himself favourable to the ratification and to the acceptance of the exchange of territory proposed by Bismarck. The debate turned, chiefly, on this last point in the treaty.

Generals Chanzy and Chareton contested the opportuneness of the exchange. They calculated that the radius of seven kilomètres and a half around Belfort ensured the security of that place, and affirmed that from the military and industrial points of view the territories situated on the frontier of Luxemburg had a much greater value. On the contrary, Admiral Fourichon and General Chabaud-Latour pronounced themselves for the exchange.

M. Thiers intervened in the debate, and pointed out that the position of Belfort, without the valley of the Savoureuse along with the canton of Giromagny, left an open breach for the invasion of France. On the contrary, the more extended radius round the fortress, so heroically defended by Colonel Denfert-Rochereau, multiplied its strategic importance by tenfold, and made it possible to join the line of defence of the (so-called) balloon of Alsace with that of the Juras. M. Thiers clung to his Belfort success, and defended it with energy.

So far as the territories on the borders of Luxemburg were concerned, he affirmed, from the industrial point of view, that France was sufficiently rich in iron mines to abandon those in the ceded district; from the military point of view, that these territories had no importance, the traditional line of invasion of the French armies having always been, at all epochs of history, that of the Sambre and Meuse.

A very favourable witness says:

M. Thiers once more imposes his will upon the Chamber. He treats those who are not of his opinion as ignoramuses, men who do not know history and geography. With his incomparable talent, that marvelous lucidity, which he brings to the exposition of the most intricate questions, he opens a course of strategy for the benefit of the weak-minded of the Assembly. He does it so well that nobody has the courage to bring out a perhaps or a *non erat hic locus*. We thought at one moment that he was going to favour us with the plan and programme of the next campaign against Prussia.

In fact the strategical considerations developed by M. Thiers possessed a real value. If we wanted to keep Belfort, it was necessary to secure to the place the means of defending itself. By reason of the steady increase in the range of guns too many precautions could not be taken in this direction. But perhaps more tenacious plenipotentiaries armed with the concession relative to the economical situation of Alsace-Lorraine would have been able to obtain the necessary extension of territory at Belfort without modifying in so cruel and burdensome a fashion the clauses of the preliminaries in the quarter of Thionville.

M. Thiers carried his point, and finally the Assembly voted the ratification of the Treaty of Peace by 433 to 98.

Bismarck had had the treaty ratified by the States of South Germany on the 15th of May. He informed M. Jules Favre of this situation and expressed his astonishment that the French ratifications were not yet ready. The Minister of Foreign Affairs replied that the ratifications would arrive in good time, and asked him for a new interview, which he judged necessary for an explanation on the general policy which the two countries were going to pursue in face of one another after the conclusion of peace.

After some hesitation Bismarck accepted. MM. Jules Favre and Pouyer-Quertier arrived at Frankfort on Sunday the 20th of May,

bearing the ratifications. They obtained more concessions on the delimitation of the frontier round Belfort and the manner of payment of the war indemnity.

Bismarck consented to receive one hundred and twenty-five millions in notes of the Bank of France, but he made some difficulty in acceding to the desire expressed by M. Jules Favre to hasten fresh repatriations of French prisoners, though article 6 of the preliminaries of Versailles stipulated that these prisoners should be sent back immediately and in their full number directly after the ratification of the said preliminaries. He insisted once again that the French Government should accept the intervention of Prussia in its conflict with Paris.

At last the ratifications were exchanged on the 21st of May, 1871, at four o'clock in the afternoon.

A fresh conference took place in the evening at nine o'clock, in the course of which M. Jules Favre communicated to Bismarck a telegram from M. Thiers announcing the entrance of the Versailles troops into Paris.

Entering then upon the general policy, Bismarck declared that the Governments of Versailles and Berlin "ought no longer to think of anything but the means of bringing together two nations who have a powerful interest in living on good terms." M. Jules Favre having announced that he was ready to resume diplomatic relations, the Chancellor admitted that there was nothing better to do for the moment, and announced that he had chosen an Ambassador with friendly inclinations. He added that the Ambassador whom M. Thiers should send to Berlin would be surrounded with marks of consideration. At the conclusion he explained the reasons which had determined him to extend the frontiers of Germany. He wished, he said, "to protect himself from fresh aggressions on the part of France."

The Chancellor and the Minister parted.

"Bismarck was beaming," writes M. Jules Favre. In fact he had signed with his own hand and on German territory the treaty which consecrated the greatness of restored Germany. This act marked the culminating point of his career. But already the evident allusion, which the Russian Government inserted in a contemporary document, could be applied to him:

It was also one of those monuments of a human weakness which does not know how to stop in success, and which, perpetuating in peace the passions of war, deposits fresh germs of hostility even in the treaties destined to bring it to an end.

NATIONAL ASSEMBLY—VOTE ON THE RATIFICATION OF THE TREATY OF FRANKFORT.

After the treaty had been signed by the plenipotentiaries it was submitted to the National Assembly and referred to a commission. The latter immediately reported a project of law providing for ratification. It was reported to the Assembly on the 18th of May.

THE PRESIDENT. The Commission has proposed two articles. I now put before you the conclusion of the Commission:

ART. 1. The National Assembly ratifies the Treaty of Peace, the text of which appears hereafter, and which has been signed at Frankfort, May 10, 1871, by

MM. Jules Favre, Pouyer-Quertier, de Goulard, Prince Bismarck, Count Arnim, and authorizes the Chief of the Executive power and the Minister of Foreign Affairs to exchange ratifications.

ART. 2. The National Assembly, using the faculty of option reserved to it by the same treaty and by the additional article, consents to the ratification of frontiers proposed by the third paragraph of article 1 of the Treaty, in exchange for the enlargement of the region around the city of Belfort, as indicated by paragraph 2 of the said article and by the third of the additional articles.

After debate, the vote on ratification was taken, resulting 433 votes for and 98 against ratification.

PROCÈS-VERBAL OF THE EXCHANGE OF RATIFICATIONS CARRIED OUT AT
FRANKFORT-ON-THE-MAIN, MAY 20, 1871.

The undersigned, M. Jules Favre, Minister of Foreign Affairs of the French Republic, M. Augustin-Thomas-Joseph, Pouyer-Quertier, Minister of Finances of the French Republic, and M. Marc-Thomas-Eugène de Goulard, member of the National Assembly, of one side;

Of the other, Prince Bismarck, Chancellor of the German Empire, and Count Harry d'Arnim, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Germany prés le Saint-Siège,

Have assembled to proceed to the exchange of ratifications of the Definitive Treaty of Peace between the French Republic and the German Empire signed in this city the 10th of May of the current year.

M. Jules Favre and M. Pouyer-Quertier presented the instrument of ratification signed by the chief of the Executive Power of the French Republic the 18th of May, also in due form the law of ratification of the Treaty voted by the National Assembly the 18th of May, by the 2d article of which the National Assembly consents to the ratification of frontiers proposed by paragraphs 3 of article 1 of the Treaty in exchange for the enlargement of the region around Belfort such as is indicated by paragraphs 2 of the said article and by the third of the additional articles.

Prince Bismarck and Count Arnim present on their part the instrument of ratification by Germany, signed by His Majesty the Emperor of Germany and the King of Prussia the 16th of the current month, as well as the expedition of the protocol dated at Berlin the 15th of May and inserted in the German instrument of ratification in virtue of which His Majesty the King of Bavaria, His Majesty the King of Wurtemberg, and His Royal Highness the Grand Duke of Baden, have expressly acceded by their respective Plenipotentiaries to the Treaty of Peace of the 10th of this month.

These two documents having been made, the French Plenipotentiaries have taken this act of adhesion given by the Plenipotentiaries of the King of Bavaria and of Wurtemberg and of the Royal Highness the Grand Duke of Baden in the name of their respective Sovereign, the German Plenipotentiaries, the law above indicated of the vote of the French National Assembly. The Plenipotentiaries of the two countries are agreed to the stipulations of exchange, which are in question in the first and third additional articles, after having been accepted by the French Government will make integral part of the

Treaty of Peace and that the delimitation of frontiers between France and Germany will be effectuated in consequence.

The exchange of the letters of ratification has then ensured, the German instrument being delivered to the French Plenipotentiaries and the French instrument to the German Plenipotentiaries.

In virtue of which, the present protocol in the texts are in French and the other in German, have been signed by the respective Plenipotentiaries, after having been read and approved. The German copy has been remitted to the French Plenipotentiaries, and the French copy to the German Plenipotentiaries.

JULES FAVRE.
POUYER-QUERTIER.
E. DE GOULARD.
BISMARCK.
ARNIM.

GERMANY

TREATY OF 1873

CONVENTION ENTRE LA SUISSE ET L'EMPIRE ALLEMAND CONCERNANT L'ÉTABLISSEMENT D'UN BUREAU ALLEMAND D'EXPÉDITION DOUANIÈRE À LA GARE DU CENTRAL, À BÂLE

RATIFICATIONS DE LA CONVENTION CI-DESSUS.

(a) *De la part de la Suisse.*—Le Conseil fédéral suisse certifie par les présentes qu'il a donné son approbation à la convention ci-dessus, conclue le 7 août 1873 et relative à l'établissement d'un bureau allemand d'expédition douanière à la gare du Central, à Bâle.

Berne, le 23 septembre, 1873.

Au nom du Conseil fédéral suisse,
(L. S.)

SCHENK,
Le Vice-Président.

SCHIESS,
Le Chancelier de la Confédération.

(b) *De la part de l'Empire allemand.*—La convention ci-dessus est approuvée au nom de l'Empire allemand.

Berlin, le 23 août, 1873.

Pour le Chancelier impérial et par autorisation,
(L. S.)

DELBRÜCK.

NOTE.—L'échange des ratifications a eu lieu par voie de correspondance.

(Switzerland. Recueil officiel. XI. 1872-1874. pp. 366-367.)

HELIGOLAND

TREATY OF 1890

This treaty contained an express stipulation for parliamentary approval before ratification.

GREAT BRITAIN AND GERMANY

AN ACT To assent to certain Provisions in an Agreement between Her Majesty and the German Emperor. (4th August, 1890.)

Whereas an Agreement, dated the first day of July, one thousand eight hundred and ninety, has been concluded between Her Majesty the Queen and His Majesty the German Emperor, whereby, amongst other things, it was provided by the provisions set out in the schedule to this Act that, subject to the assent of Parliament, the Sovereignty of the Island of Heligoland, together with its dependencies, should be ceded to His Majesty the German Emperor:

And whereas it is expedient to give such assent:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The assent of Parliament is hereby given to those provisions of the said agreement which are set out in the schedule to this Act, and it shall be lawful for Her Majesty the Queen to do everything that appears to Her Majesty necessary or proper for carrying into effect those provisions.

2. This Act may be cited as the Anglo-German Agreement Act, 1890.

AGREEMENT Between Great Britain and Germany, for the Cession of the Island of Heligoland to Germany. Signed at Berlin, 1st July, 1890.

ART. XII. 1. Subject to the assent of the British Parliament, the sovereignty over the Island of Heligoland, together with its dependencies, is ceded by Her Britannic Majesty to His Majesty the Emperor of Germany.

(Hertslet's The Map of Europe by Treaty, vol. 4, page 3286.)

ANGLO-FRENCH CONVENTION ACT, 1904

This treaty is one of the few cases where parliamentary approval was required for ratification.

AN ACT For approving and carrying into Effect a Convention between His Majesty and the President of the French Republic. [15th August, 1904.]

Whereas His Majesty the King and the President of the French Republic have, SUBJECT TO THE APPROVAL OF THEIR RESPECTIVE PARLIA-

MENTS, concluded the Convention set out in the schedule to this Act, and it is expedient to give such approval:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

APPROVAL OF CONVENTION

1.—(1) The approval of Parliament is hereby given to the Convention set out in the schedule to this Act, and it shall be lawful for His Majesty the King to do everything which appears to His Majesty necessary or proper for carrying into effect that Convention.

(2) Any sums payable by way of indemnity under the said Convention and any expenses to be incurred in carrying it into effect shall be defrayed out of moneys provided by Parliament.

SHORT TITLE

2. This Act may be cited as the Anglo-French Convention Act, 1904.

SCHEDULE

CONVENTION SIGNED AT LONDON THE 8TH OF APRIL, 1904

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the President of the French Republic, having resolved to put an end, by a friendly Arrangement, to the difficulties which have arisen in Newfoundland, have decided to conclude a Convention to that effect and have named as their respective Plenipotentiaries.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the Most Honourable Henry Charles Keith Petty-Fitzmaurice, Marquess of Lansdowne, His Majesty's Principal Secretary of State for Foreign Affairs; and

The President of the French Republic, his Excellency Monsieur Paul Cambon, Ambassador of the French Republic at the Court of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India;

Who, after having communicated to each other their full powers, found in good and due form, have agreed as follows, subject to the approval of their respective Parliaments:—

ART. I. France renounces the privileges established to her advantage by Article XIII of the Treaty of Utrecht (ref. p. 32) and confirmed or modified by subsequent provisions.

II. France retains for her citizens, on a footing of equality with British subjects, the right of fishing in the territorial waters on that portion of the coast of Newfoundland comprised between Cape St. John and Cape Ray, passing by the north; this right shall be exercised during the usual fishing season closing for all persons on the 20th of October of each year.

The French may therefore fish there for every kind of fish, including bait, and also shellfish. They may enter any port or harbour on the said coast, and may there obtain supplies or bait and shelter on the same conditions as the inhabitants of Newfoundland, but they will remain subject to the local Regulations in force; they may also fish at the mouths of the rivers, but without going beyond a straight line drawn between the two extremities of the banks, where the river enters the sea.

They shall not make use of stake-nets or fixed engines (ref. p. 32) without permission of the local authorities.

On the above-mentioned portion of the coast, British subjects and French citizens shall be subject alike to the laws and regulations now in force, or which may hereafter be passed for the establishment of a close time in regard to any particular kind of fish, or for the improvement of the fisheries. Notice of any fresh laws or regulations shall be given to the Government of the French Republic three months before they come into operation.

The policing of the fishing on the above-mentioned portion of the coast, and for prevention of illicit liquor traffic and smuggling of spirits, shall form the subject of regulations drawn up in agreement by the two Governments.

III. A pecuniary indemnity shall be awarded by His Britannic Majesty's Government to the French citizens engaged in fishing or the preparation of fish on the Treaty Shore, who are obliged either to abandon the establishments they possess there, or to give up their occupation, in consequence of the modification introduced by the present Convention into the existing state of affairs.

This indemnity cannot be claimed by the parties interested unless they have been engaged in their business prior to the closing of the fishing season of 1903.

Claims for indemnity shall be submitted to an Arbitral Tribunal composed of an officer of each nation, and, in the event of disagreement, of an Umpire appointed in accordance with the procedure laid down by Article XXXII of the Hague Convention (ref. p. 33). The details regulating the constitution of the Tribunal and the conditions of the inquiries to be instituted for the purpose of substantiating the claims, shall form the subject of a special Agreement between the two Governments.

IV. His Britannic Majesty's Government, recognising that, in addition to the indemnity referred to in the preceding Article, some territorial compensation is due to France in return for the surrender of her privilege in that part of the Island of Newfoundland referred to in Article II, agree with the Government of the French Republic to the provisions embodied in the following Articles:—

V. The present frontier between Senegambia and the English Colony of the Gambia shall be modified so as to give to France Yabutenda and the lands and landing-places belonging to that locality.

In the event of the river not being open to maritime navigation up to that point, access shall be assured to the French Government at a point lower down on the River Gambia, which shall be recognized by mutual agreement as being accessible to merchant-ships engaged in maritime navigation.

The conditions which shall govern transit on the River Gambia and its tributaries, as well as the method of access to the point that

may be reserved to France in accordance with the preceding paragraph, shall form the subject of future agreement between the two Governments.

In any case, it is understood that these conditions shall be at least as favourable as those of the system instituted by application of the General Act of the African Conference of the 26th February, 1885, (ref. p. 34) and of the Anglo-French Convention of the 14th June, 1898, to the English portion of the basin of the Niger (ref. p. 34).

VI. The group known as the Iles de Los, and situated opposite Konakry, is ceded by His Britannic Majesty to France.

VII. Persons born in the territory ceded to France by Articles V and VI of the present Convention may retain British nationality by means of an individual declaration to that effect, to be made before the proper authorities by themselves, or, in the case of children under age, by their parents or guardians.

The period within which the declaration of option referred to in the preceding paragraph must be made shall be one year, dating from the day on which French authority shall be established over the territory in which the persons in question have been born.

Native laws and customs now existing will, as far as possible, remain undisturbed.

In the Iles de Los, for a period of thirty years from the date of exchange of the ratifications of the present Convention, British fishermen shall enjoy the same rights as French fishermen with regard to anchorage in all weathers, to taking in provisions and water, to making repairs, to transhipment of goods, to the sale of fish, and to the landing and drying of nets, provided always that they observe the conditions laid down in the French Laws and Regulations which may be in force there.

VIII. To the east of the Niger the following line shall be substituted for the boundary fixed between the French and British possessions by the Convention of the 14th June, 1898, subject to the modifications which may result from the stipulations introduced in the sixth and seventh paragraphs of the present Article.

Starting from the point on the left bank of the Niger laid down in Article III of the Convention of the 14th June, 1898, that is to say, the median line of the Dallul Mauri, the frontier shall be drawn along this median line until it meets the circumference of a circle drawn from the town of Sokoto as a center, with a radius of 160,932 mètres (100 miles). Thence it shall follow the northern arc of this circle to a point situated 5 kilom. south of the point of intersection of the above-mentioned arc of the circle with the route from Dosso to Matankari viâ Maourédé.

Thence it shall be drawn in a direct line to a point 20 kilom. north of Konni (Birni-N'Kouni), and then in a direct line to a point 15 kilom. south of Maradi, and thence shall be continued in a direct line to the point of intersection of the parallel of 13° 20' north latitude, with a meridian passing 70 miles to the east of the second intersection of the 14th degree of north latitude and the northern arc of the above-mentioned circle.

Thence the frontier shall follow in an easterly direction the parallel of 13° 20' north latitude until it strikes the left bank of the River Komadugu Waubé (Komadougou Ouobé), the thalweg of

which it will then follow to Lake Chad. But if, before meeting this river, the frontier attains a distance of 5 kilom. from the caravan route from Zinder to Yo, through Sua Kololua (Soua Kololoua), Adeber, and Kabi, the boundary shall then be traced at a distance of 5 kilom. to the south of this route until it strikes the left bank of the River Komadugu Waubé (Komadougou Ouobé), it being nevertheless understood that, if the boundary thus drawn should happen to pass through a village, this village, with its lands, shall be assigned to the Government to which would fall the larger portion of the village and its lands. The boundary will then, as before, follow the thalweg of the said river to Lake Chad.

Thence it will follow the degree of latitude passing through the thalweg of the mouth of the said river up to its intersection with the meridian running 35' east of the center of the town of Kouka, and will then follow this meridian southwards until it intersects the southern shore of Lake Chad.

It is agreed, however, that, when the Commissioners of the two Governments at present engaged in delimiting the line laid down in Article IV of the Convention of the 14th June, 1898, return home and can be consulted, the two Governments will be prepared to consider any modifications of the above frontier line which may seem desirable for the purpose of determining the line of demarcation with greater accuracy. In order to avoid the inconvenience to either Party which might result from the adoption of a line deviating from recognized and well-established frontiers, it is agreed that in those portions of the projected line where the frontier is not determined by the trade routes, regard shall be had to the present political divisions of the territories so that the tribes belonging to the territories of Tessaoua-Maradi and Zinder shall, as far as possible, be left to France, and those belonging to the territories of the British zone shall, as far as possible, be left to Great Britain.

It is further agreed, that on Lake Chad, the frontier-line shall, if necessary, be modified so as to assure to France a communication through open water at all seasons between her possessions on the north-west and those on the south-east of the Lake, and a portion of the surface of the open waters of the Lake at least proportionate to that assigned to her by the map forming Annex 2 of the Convention of the 14th June, 1898.

In that portion of the River Komadugu which is common to both Parties, the populations on the banks shall have equal rights of fishing.

IX. The present Convention shall be ratified, and the ratifications shall be exchanged, at London, within eight months, or earlier if possible.

In witness whereof his Excellency the Ambassador of the French Republic at the Court of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty's Principal Secretary of State for Foreign Affairs, duly authorized for that purpose, have signed the present Convention, and have affixed thereto their seals.

As previously explained, the Declaration of London was not submitted *per se* to Parliament, but the Naval Prize Bill, a necessary

condition of the Declaration, was submitted to Parliament and defeated in the House of Lords, so that the Declaration failed.

DECLARATION OF LONDON, 1910

[From Parliamentary Debates, fifth series, Vol. XX, House of Commons, seventh volume of session 1910, p. 57.]

Mr. GIBSON BOWLES. Asked the Prime Minister, when does he propose, and whether before or after the debate on the Second Reading of the Naval Prize Bill, to afford this House the promised opportunity of debating the Declaration of London of 1909, affecting to make alterations in the Law of Nations relating to Naval Prize and to other matters of maritime warfare; and will the opportunity given be such as will enable this House to pronounce for or against the ratification of the Declaration in question.

The PRIME MINISTER (Mr. ASQUITH). The ratification of the Declaration is not subject to the approval of this House. It will not now be possible to bring these questions before Parliament this year.

The PRIME MINISTER. The Declaration of London does not require the approval of Parliament. But it has already been made abundantly clear that Parliament will have full opportunity for discussing its provisions before His Majesty is advised to ratify it.

DECLARATION OF LONDON, 1911

[From Parliamentary Debates, fifth series, Vol. VII, House of Lords, first volume of session 1911, pp. 369, 451, 455.]

The EARL OF SELBORNE. * * * I do not wonder that a representation has been made from Australia, where a somewhat similar case may arise. And here I should like to make a confession of faith. Sir Edward Grey, in answering a question in the House of Commons as to why he had not consulted the Dominions upon this question, said he was going to do so, but it had not been practicable at an earlier stage. Now, that answer is one which, I admit, would have been given by any Government previous to this one. My confession of faith is this—that the time has gone by when an answer of that kind ought to be given. In a matter affecting the interests of the Empire as a whole no Government in this country ought to frame an agreement with foreign Powers and commit themselves to that agreement before taking into consultation the Dominions overseas. This Government has acted otherwise. So far as I have any influence, I will never be a party to such action by a Government of which I am a member. I know that the policy I have advocated is a breach of the traditions of the Foreign Office and that there are difficulties, but in my opinion it is perfectly impossible to carry with us the moral support and confidence of the Dominions if any longer we make these agreements or commit ourselves to them without consulting them. Therefore, while I am glad that His Majesty's Government are about to consult the Dominions at the forthcoming Imperial Conference, my contention is that it was practicable for them to have done so at an earlier stage, and that they ought to have done it at an earlier stage.

The MARQUESS OF SALISBURY. * * * I do not know it on my own authority, but I have heard it stated in the course of the debate, and

I believe it is so, that that is certainly the case with regard to one of our great Dominions, and I understand that before the ratifications are exchanged His Majesty's Government are willing that the matter should be discussed. I am glad to hear that.

VISCOUNT MORLEY of Blackburn. * * * The noble Marquess, taking up a point raised the other night by the noble Earl, Lord Dunraven, used language which, accustomed as I have been to revolutionary language in this House during the last year or two, surprised me. It is admitted that hitherto the law and practice of the Constitution has been that the treaty-making power rests with the Crown. That is not denied by any one. The language used by Lord Dunraven was a little more definite than that of the noble Marquess, but in either case are you not committing yourselves to a somewhat dangerous doctrine? I will explain what I mean by dangerous. There is a great State in which the treaty-making power is divided between the Executive and the Legislature, but I am not sure that those who have to deal with that great and most friendly community always find that an advantage, and I think you will be introducing a very dangerous principle or maxim into our own Constitution if you impair the treaty-making right now vested in and practiced by the Crown.

[From Parliamentary Debates fifth series, Vol. XXII, House of Commons, second volume of session 1911, p. 1371.]

Sir EDWARD GREY. * * * In some cases these final decisions were not pronounced until long after the war had ended, and the object of the free list is to ensure that the shipping trade of neutrals shall not be dislocated by the capture of goods of this kind, which can have no connection with the military operations of the belligerents.

Sir EDWARD GREY. * * * I have already stated, in answer to a supplementary question asked on 18th November, 1910, that the consent of Parliament is constitutionally not necessary to the ratification of the Declaration of London, but as is well known no Government would advise His Majesty to ratify a Convention against the declared opinion of the House of Commons.

121334—S. Doc. 26, 66-1—6

EXTRACTS FROM THE EXECUTIVE
JOURNAL OF THE SENATE REL-
ATIVE TO PROCEEDINGS IN CASES
OF TREATIES REJECTED BY THE
SENATE

UNITED STATES SENATE.

PROCEEDINGS IN CASES OF TREATIES REJECTED BY THE SENATE.

WITH SOME EXAMPLES OF AMENDED TREATIES, 1794-1901.

[From the Executive Journal of the Senate; embraces only proceedings in the printed Executive Journal.]

JAY TREATY (AMENDED).

PROCEEDINGS IN THE SENATE 1795.

On motion,

Ordered, That Mr. Strong and Mr. Langdon be a committee to wait on the President of the United States, and notify him that a quorum of the Senate is assembled, and ready to receive any communications he may be pleased to make.

Mr. Strong reported, from the committee, that they had waited on the President of the United States, and that he informed them he would make some communications to the Senate immediately.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

UNITED STATES, *June 8th, 1795.*

Gentlemen of the Senate:

In pursuance of my nomination of John Jay as Envoy Extraordinary to his Britannic Majesty, on the 16th day of April, 1794, and of the advice and consent of the Senate thereto, on the 19th, a negotiation was opened in London. On the 7th of March, 1795, the treaty resulting therefrom was delivered to the Secretary of State. I now transmit to the Senate that treaty, and other documents connected with it. They will, therefore, in their wisdom, decide whether they will advise and consent that the said treaty be made between the United States and his Britannic Majesty.

GO. WASHINGTON.

The message, treaty, and other documents referred to in the message, were in part read.

On motion,

Ordered, That the further reading thereof be postponed.

On motion,

Ordered, That the Senators be under an injunction of secrecy on the communications this day received from the President of the United States, until the further order of the Senate.

On motion,

Ordered, That the Secretary procure, printed under an injunction of secrecy, thirty-one copies only, of the treaty referred to in the message of the President of the United States, of this day, for the use of the Senate.

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, JUNE 9, 1795.

The Honorable Pierce Butler, from the State of South Carolina, and the Honorable Frederick Frelinghuysen, from the State of New Jersey, severally attended.

The Honorable James Gunn, from the State of Georgia, produced his credentials, and, the usual oath being administered, took his seat in the Senate.

On motion,

Ordered, That there be printed two additional copies of the treaty referred to in the message of the President of the United States, of the 8th inst.

The papers referred to in the said message were read.

Ordered, That they lie for consideration.

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JUNE 10, 1795.

The Senate assembled, present as yesterday; and, after deliberation, Adjourned to 11 o'clock to-morrow morning.

THURSDAY, JUNE 11, 1795.

The Senate assembled—present as yesterday.

The treaty referred to in the message of the 8th instant was read and considered.

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JUNE 12, 1795.

The honorable John Henry, from the State of Maryland, produced his credentials, and the usual oath being administered, he took his seat in the Senate.

The Senate resumed the consideration of the treaty communicated from the President of the United States, in his message of the 8th instant.

A motion was made that the said treaty be published.

And, on motion, it was agreed to modify the motion as follows:

Ordered, That so much of the resolution of the 8th instant as enjoins secrecy upon the Senators with respect to the communications on that day received from the President, be rescinded.

And on the question to agree to the motion thus modified,

A motion was made for, and the yeas and nays were agreed to; and,

After deliberation, it was agreed to postpone this question until to-morrow.

On motion to adjourn, it passed in the negative.

And, after debate, the further consideration of the treaty above-mentioned was postponed until to-morrow.

SATURDAY, JUNE 13, 1795.

The Senate resumed the consideration of the treaty communicated by the President of the United States, with his message of the 8th instant, and the motion yesterday made thereon, to wit:

That so much of the resolution of the 8th instant as enjoins secrecy upon the Senators, with respect to the communications on that day received from the President, be rescinded.

And the question being taken,

It passed in the negative,	{ Yeas-----	9
	{ Nays-----	20

Those who voted in the affirmative are—Messrs. Bloodworth, Brown, Burr, Butler, Jackson, Langdon, Mason, Robinson, and Tazewell.

Those who voted in the negative are—Messrs. Bingham, Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, Gunn, Henry, King, Latimer, Livermore, Marshall, Martin, Paine, Potts, Read, Ross, Rutherford, Strong, and Trumbull.

And, after progress in the consideration of the treaty,

The Senate adjourned to 10 o'clock on Monday morning.

MONDAY, JUNE 15, 1795.

The honorable John Vining, from the State of Delaware, attended.

The Senate resumed the consideration of the treaty, communicated by the President of the United States, with his message of the 8th instant, and, after progress,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, JUNE 16, 1795.

The Senate resumed the consideration of the treaty communicated by the President of the United States, with his message of the 8th instant; and,

On motion,

It was agreed to refer the 12th article to the future discussion of the Senate; and, after progress in the consideration of the 13th article,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JUNE 17, 1795.

The Senate resumed the consideration of the treaty, communicated with the message of the President of the United States, of the 8th instant, and after discussion on the remaining articles, a motion was made and seconded, that it be

Resolved, (two-thirds of the Senate concurring therein,) that they do consent to, and advise the President of the United States, to ratify the treaty of Amity, Commerce, and Navigation, between his Britannic Majesty and the United States of America, concluded at London, the 19th day of November, 1794, on condition that there be added to the said treaty an article whereby

it shall be agreed to suspend the operation of so much of the 12th article as respects the trade which his said Majesty thereby consents may be carried on between the United States and his islands in the West Indies, in the manner, and on the terms and conditions therein specified.

And the Senate recommend to the President, to proceed without delay, to further friendly negotiations with his Majesty, on the subject of the said trade, and of the terms and conditions in question.

On motion,

It was agreed, that this motion lie for consideration, until to-morrow.

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JUNE 18, 1795.

Whereupon the discussion of the 12th article of the treaty was renewed, and, after debate,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JUNE 19, 1795.

The Senate assembled.

On motion,

Resolved, That the President of the United States be requested to cause to be laid before the Senate the reports of John Jay while in the office of Foreign Affairs, the correspondence between the Commander in Chief of the American Army with Sir Guy Carleton, on the subject of the 7th article of the treaty of Peace with Great Britain, and also Mitchel's map of North America.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate adjourned to 11 o'clock to-morrow morning.

SATURDAY, JUNE 20. 1795.

The Senate resumed the consideration of the motion, made on the 17th, respecting the 12th article of the treaty communicated with the message of the President of the United States, of the 8th instant.

The Vice-President laid before the Senate a letter from the Secretary of the Department of State, by order of the President of the United States, with the following documents requested yesterday.

Three volumes of the reports of Mr. Jay while Secretary of Foreign Affairs.

A printed copy of the official papers laid before Congress by the message of 5th December, 1793, and a translation of Mitchel's map of the United States.

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JUNE 22, 1795.

The Vice-President laid before the Senate a letter from the Secretary for the Department of State, with a "list of the negroes, to which the correspondence between the Commander in Chief of the American Army and Sir Guy Carleton relates;" which was read, and, with the document referred to, ordered to lie on the table.

The Senate resumed the consideration of the motion, made on the 17th instant, on the 12th article of the treaty communicated with the

message of the President of the United States, of the 8th instant, and a motion was made by Mr. Burr to postpone this motion, and to agree to the following resolution:

"That the further consideration of the treaty concluded at London, the 19th of November, 1794, be postponed, and that it be recommended to the President of the United States, to proceed without delay to further friendly negotiations with his Britannic Majesty, in order to effect alterations in the said treaty, in the following particulars:

That the 9th, 10th, and 24th articles, and so much of the 25th as relates to the shelter or refuge to be given to the armed vessels of States or Sovereigns at war with either party, be expunged.

2d art. That no privilege or right be allowed to the settlers or traders mentioned in the 2d article, other than those which are secured to them by the treaty of 1783, and existing laws.

3d art. That the third article be expunged, or be so modified that the citizens of the United States may have the use of *all* rivers, ports, and places within the territories of His Britannic Majesty in North America, in the same manner as his subjects may have of those of the United States.

6th art. That the value of the negroes and other property carried away, contrary to the 7th article of the treaty of 1783, *and the loss and damage sustained by the United States by the detention of the posts*, be paid for by the British government; the amount to be ascertained by the Commissioners who may be appointed to liquidate the claims of the British creditors.

12th art. That what relates to the West India trade, and the provisos and conditions thereof, in the 12th article, be expunged, or be rendered much more favorable to the United States, and without any restraint on the exportation, in vessels of the United States, of any articles, not the growth, produce, or manufacture of the said islands of his Britannic Majesty.

15th art. That no clause be admitted which may restrain the United States from reciprocating benefits by discriminating between foreign nations in their commercial arrangements, or prevent them from increasing the tonnage or other duties on British vessels, on terms of reciprocity, or in a stipulated ratio.

21st art. That the subjects or citizens of either party, be not restrained from accepting commissions in the army or navy of any foreign power."

And, after debate.

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, JUNE 23, 1795.

The Senate resumed the consideration of the 22d, for the postponement of the motion of the 17th instant, on the 12th article of the treaty communicated with the message of the President of the United States, of the 8th instant. And, after debate, the yeas and nays being required by one-fifth of the Senators present,

It passed in the negative { Yeas -----	10
Nays -----	20

Those who voted in the affirmative are—Messrs. Bloodworth, Brown, Burr, Bulter, Jackson, Langdon, Martin, Mason, Robinson, and Tazewell.

Those who voted in the negative are—Messrs. Bingham, Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, Gunn, Henry, King, Latimer, Livermore, Marshall, Paine, Potts, Read, Ross, Rutherford, Strong, Trumbull, and Vining.

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JUNE 24, 1795.

The Senate resumed the consideration of the motion made on the 17th instant, respecting the 12th article of the treaty communicated

with the message of the President of the United States, of the 8th instant; and

A motion was made by Mr. Read, seconded by Mr. Butler, to amend the motion after the word "specified," as follows:

"And also for obtaining adequate compensation for the negroes or other property of the American inhabitants, carried off from the United States, in violation of the definitive treaty of peace and friendship between his said Majesty and the United States, signed at Paris, the 3d day of Sept. 1783."

And, after deliberation, it was agreed that the honorable mover have leave to withdraw the motion, in order to introduce a motion drawn up with more consideration on the same subject. Whereupon,

The motion was renewed by Mr. Brown, seconded by Mr. Jackson; and, on the question to agree thereto,

It passed in the negative,	Yeas-----	12
	Nays-----	15

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative are—Messrs. Bloodworth, Brown, Burr, Butler, Jackson, Langdon, Marshall, Martin, Mason, Read, Robinson, and Tazewell.

Those who voted in the negative are—Messrs. Bingham, Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, Gunn, King, Livermore, Paine, Potts, Ross, Rutherford, Strong, and Trumbull.

A motion was made to postpone the motion before the Senate, for the purpose of taking into consideration the following motion, to wit:

"That the President of the United States be informed that the Senate will not consent to the ratification of the treaty of amity, commerce, and navigation, between the United States and his Britannic Majesty, concluded at London on the 19th November, 1794, for the reasons following:

1st. Because so much of the treaty as was intended to terminate the complaints flowing from the inexecution of the treaty of 1783, contains stipulations that were not rightfully or justly requirable of the United States, and which are both impolitic and injurious to their interests; and because the treaty hath not secured that satisfaction from the British government, for the removal of negroes in violation of the treaty of 1783, to which the citizens of the United States were justly entitled.

2d. Because the rights of individual States are, by the ninth article of the treaty, unconstitutionally invaded.

3d. Because, however impolitic or unjust it may generally be to exercise the power prohibited by the tenth article, yet it rests on legislative discretion, and ought not to be prohibited by treaty.

4th. Because so much of the treaty as relates to commercial arrangements between the parties, wants that reciprocity upon which alone such like arrangements ought to be founded, and will operate ruinously to the American commerce and navigation.

5th. Because the treaty prevents the United States from the exercise of that control over their commerce and navigation, as connected with other nations, which might better the condition of their intercourse with friendly nations.

6th. Because the treaty asserts a power in the President and Senate, to control, and even annihilate the constitutional right of the Congress of the United States over their commercial intercourse with foreign nations.

7th. Because, if the construction of this treaty should not produce an infraction of the treaties now subsisting between the United States and their allies, it is calculated to excite sensations which may not operate beneficially to the United States.

Notwithstanding the Senate will not consent to the ratification of this treaty, they advise the President of the United States to continue his endeavors, by friendly discussion with his Britannic Majesty, to adjust all the real causes of complaint between the two nations."

Whereupon,

On motion, it was agreed to divide this last motion as follows, to wit:

“That the motion of the 17th, now before the Senate, be postponed;”

And

It passed in the negative, { Yeas-----10
Nays-----19

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative are—Messrs. Bloodworth, Brown, Burr, Butler, Jackson, Langdon, Martin, Mason, Robinson, and Tazewell.

Those who voted in the negative are—Messrs. Bingham, Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, Gunn, King, Latimer, Livermore, Marshall, Paine, Potts, Read, Ross, Rutherford, Strong, Trumbull, and Vining.

Whereupon, a motion was made to divide the original motion, made on the 17th instant, and now before the Senate, so as to adopt the first paragraph thereof, ending with the word “specified”; and

It passed in the affirmative, { Yeas-----20
Nays-----10

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative are—Messrs. Bingham, Bradford, Cabott, Ellsworth, Foster, Frelinghuysen, Gunn, Henry, King, Latimer, Livermore, Marshall, Paine, Potts, Read, Ross, Rutherford, Strong, Trumbull, and Vining.

Those who voted in the negative are—Messrs. Bloodworth, Brown, Burr, Butler, Jackson, Langdon, Martin, Mason, Robinson, and Tazewell.

On motion to adopt the last paragraph of the said original motion, It passed in the affirmative.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative are—Messrs. Bingham, Bloodworth, Bradford, Brown, Burr, Butler, Cabot, Ellsworth, Foster, Frelinghuysen, Gunn, Henry, Jackson, King, Langdon, Latimer, Livermore, Marshall, Martin, Mason, Paine, Potts, Read, Robinson, Ross, Rutherford, Strong, Tazewell, Trumbull, and Vining.

So this paragraph was unanimously agreed to; and it was

Resolved (two-thirds of the Senate concurring therein), That they do consent to, and advise the President of the United States, to ratify the treaty of amty. commerce, and navigation, between his Britannic Majesty and the United States of America, concluded at London, the 19th day of November, 1794, on condition that there be added to the said treaty an article, whereby it shall be agreed to suspend the operation of so much of the 12th article, as respects the trade which his said Majesty thereby consents may be carried on, between the United States and his islands in the West Indies, in the manner, and on the terms and conditions therein specified.

And the Senate recommend to the President to proceed, without delay, to further friendly negotiations with his Majesty, on the subject of the said trade, and of the terms and conditions in question.

Ordered, That the Secretary lay this resolution before the President of the United States.

A motion was made by Mr. Gunn, seconded by Mr. Read, as follows:

Whereas it is alleged by divers American citizens, that negroes, and other property, to a considerable amount, were carried away in contravention of the 7th article of the treaty of peace between the United States and his Britannic Majesty:

Resolved, That the Senate recommend to the President of the United States, to renew, by friendly negotiation with his said Majesty, the claims of the American citizens, to compensation for the negroes and other property, so alleged to have been carried away; and in case the disagreement that has hitherto existed, relative to the construction in this behalf of the said article, cannot be removed by candid and amicable discussions, that it be proposed, as a measure calculated to cherish and confirm the good understanding and friendship which it is desired may prevail between the two countries, that Commissioners be appointed, in the manner directed by the 6th article of the treaty of amity, commerce, and navigation, lately concluded between the United States and his said Majesty, with authority to ascertain and decide, as well the interpretation of the said 7th article in this respect, as likewise the amount of the losses sustained by the alleged violation of the same.

But the Senate are of opinion that the negotiation on this subject should be distinct from, and subsequent to that recommended by their act of the 24th instant, respecting the trade and intercourse between the United States and his said Majesty's islands in the West Indies.

And, after debate, it was agreed that this motion lie until to-morrow for consideration.

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JUNE 25, 1795.

The motion made by Mr. Gunn, as last recited, and yesterday referred to this day for consideration, was resumed.

On motion to divide this motion, and to agree to all that is contained from the word "*whereas*," to the word "*same*," at the end of the first paragraph of the resolution inclusive,

It passed in the affirmative, {	Yeas-----	27
	Nay-----	1

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Bingham, Bloodworth, Bradford, Brown, Burr, Butler, Cabot, Ellsworth, Foster, Frelinghuysen, Gunn, Jackson, King, Langdon, Latimer, Livermore, Marshall, Martin, Paine, Potts, Read, Robinson, Ross, Rutherford, Strong, Trumbull, and Vining.

Mr. Tazewell voted in the negative.

A motion was made by Mr. Jackson, to amend the *last* paragraph of the motion under the consideration of the Senate, to wit:

"But the Senate are of opinion that the negotiation on this subject should be distinct from and subsequent to that recommended by their act of the 24th instant, respecting the trade and intercourse between the United States and his said Majesty's islands, in the West Indies," to be read as follows:

"And the Senate are of opinion that the negotiation on this subject, be considered as part of the negotiation recommended by their act of the 24th inst., respecting the trade and intercourse between the United States and his said Majesty's islands in the West Indies."

**TREATY BETWEEN THE UNITED STATES AND SWITZERLAND,
1835.**

THURSDAY, DECEMBER 24, 1835.

The following message was received from the President of the United States, by Mr. Donelson, his secretary:

To the Senate of the United States:

I transmit to the Senate, for their consideration and advice with regard to its ratification, a convention signed at Paris by the plenipotentiaries of the United States and the Swiss Confederation, on the 6th of March last. A copy of the convention is also transmitted for the convenience of the Senate.

ANDREW JACKSON.

WASHINGTON, 22D DECEMBER, 1835.

The message and convention were read.

Ordered, That they be referred to the Committee on Foreign Relations, and that the convention be printed in confidence for the use of the Senate.

TUESDAY, JANUARY 26, 1836.

Mr. Clay, from the Committee on Foreign Relations, to whom was referred, the 24th December, the convention with the Swiss Confederation, reported the same without amendment.

TUESDAY, MAY 31, 1836.

The Senate resumed, as in Committee of the Whole, the convention with the Swiss Confederation; and no amendments being made thereto, it was reported to the Senate.

Mr. Clay submitted the following resolution:

Resolved (two-thirds of the Senators present concurring), That the Senate do advise and consent to the ratification of the convention between the United States of America and the Swiss Confederation, concluded at Paris, the sixth day of March, in the year one thousand eight hundred and thirty-five.

MONDAY, JUNE 6, 1836.

The Senate resumed the consideration of the resolution for the ratification of the Swiss treaty; and,

On motion by Mr. Webster.

Ordered, That it lie on the table.

SATURDAY, JUNE 11, 1836.

The Senate resumed the consideration of the resolution for the ratification of the treaty with the Swiss Confederation; and

On the question to agree to the resolution,

It was determined in the negative, { Yeas----- 14
Nays----- 23

Those who voted in the affirmative are,

Messrs. Benton, Buchanan, Goldsborough, Grundy, Linn, Rives, Robinson, Shepley, Tallmadge, Tipton, Walker, Wall, Webster, Wright.

Those who voted in the negative are,
Messrs. Black, Calhoun, Clay, Crittenden, Ewing of Illinois, Ewing of Ohio, Hendricks, Kent, King of Alabama, King of Georgia, Knight, Leigh, McKean, Mangum, Moore, Naudain, Nicholas, Porter, Prentiss, Preston, Robbins, Southard, White.

So it was

Resolved, That the Senate do not advise and consent to the ratification of the treaty between the United States of America and the Swiss Confederation, concluded at Paris, the sixth of March, one thousand eight hundred and thirty-five.

TREATY WITH TEXAS: ANNEXATION

MONDAY, APRIL 22, 1844.

The following messages were received from the President of the United States, by Mr. Tyler, his secretary:

To the Senate of the United States:

I transmit herewith, for your approval and ratification, a treaty which I have caused to be negotiated between the United States and Texas, whereby the latter, on the conditions therein set forth, has transferred and conveyed all its right of separate and independent sovereignty and jurisdiction to the United States. In taking so important a step, I have been influenced by what appeared to me to be the most controlling considerations of public policy and the general good; and in having accomplished it, should it meet with your approval, the Government will have succeeded in reclaiming a territory which formerly constituted a portion, as it is confidently believed, of its domain under the treaty of session of 1803 by France to the United States.

The country thus proposed to be annexed has been settled principally by persons from the United States, who emigrated on the invitation of both Spain and Mexico, and who carried with them into the wilderness which they have partially reclaimed the laws, customs, and political and domestic institutions of their native land. They are deeply indoctrinated in all the principles of civil liberty, and will bring along with them, in the act of reassociation, devotion to our Union, and a firm and inflexible resolution to assist in maintaining the public liberty unimpaired—a consideration which, as it appears to me, is to be regarded as of no small moment. The country itself, thus obtained, is of incalculable value in an agricultural and commercial point of view. To a soil of inexhaustible fertility it unites a genial and healthy climate, and is destined, at a day not distant, to make large contributions to the commerce of the world. Its territory is separated from the United States, in part, by an imaginary line, and by the River Sabine for a distance of 310 miles; and its productions are the same with those of many of the contiguous States of the Union. Such is the country, such are its inhabitants, and such its capacities to add to the general wealth of the Union. As to the latter, it may be safely asserted, that in the magnitude of its productions, it will equal in a short time, under the protecting care of this Government, if it does not surpass the combined production of many of the States of the Confederacy. A new and powerful impulse will thus be given to the navigating interest of the country, which will be chiefly engrossed by our fellow-citizens of the Eastern and Middle States, who have already attained a remarkable degree of prosperity by the partial monopoly they have enjoyed of the carrying trade of the Union, particularly the coastwise trade, which this new acquisition is destined in time, and that not distant, to swell to a magnitude which can not easily be computed; while the addition made to the boundaries of the home market thus secured to their mining, manufacturing, and mechanical skill and industry, will be of a character the most commanding and important.

Such are some of the many advantages which will accrue to the Eastern and Middle States by the ratification of the treaty—advantages, the extent of which it is impossible to estimate with accuracy or properly to appreciate. Texas being adapted to the culture of cotton, sugar, and rice, and devoting most of her energies to the raising of these productions, will open an extensive market to the Western States in the important articles of beef, pork, horses, mules, etc.,

as well as in breadstuffs. At the same time the Southern and Southeastern States will find in the fact of annexation, protection, and security to their peace and tranquillity, as well against all domestic as foreign efforts to disturb them; thus consecrating anew the Union of the States and holding out the promise of its perpetual duration. Thus, at the same time that the tide of public prosperity is greatly swollen, an appeal, of what appears to the Executive to be of an imposing, if not of a resistless character, is made to the interests of every portion of the country. Agriculture, which would have a new and extensive market opened for its produce; commerce, whose ships would be freighted with the rich productions of an extensive and fertile region; and the mechanical arts, in all their various ramifications, would seem to unite in one universal demand for the ratification of the treaty. But important as these considerations may appear, they are to be regarded as but secondary to others. Texas, for reasons deemed sufficient by herself, threw off her dependence on Mexico as far back as 1836, and consummated her independence by the Battle of San Jacinto in the same year; since which period Mexico has attempted no serious invasion of her territory; but the contest has assumed features of a mere border war, characterized by acts revolting to humanity.

In the year 1836 Texas adopted her constitution, under which she has existed as a sovereign power ever since, having been recognized as such by many of the principal powers of the world; and, contemporaneously with its adoption, by a solemn vote of her people, embracing all her population but ninety-three persons, declared her anxious desire to be admitted into association with the United States as a portion of their territory. This vote, thus solemnly taken, has never been reversed; and now, by the action of her constituted authorities, sustained as it is by popular sentiment, she reaffirms her desire for annexation. This course has been adopted by her without the employment of any sinister measures on the part of this Government. No intrigue has been set on foot to accomplish it. Texas herself wills it, and the Executive of the United States, concurring with her, has seen no sufficient reason to avoid the consummation of an act esteemed to be so desirable by both. It can not be denied that Texas is greatly depressed in her energies by her long-protracted war with Mexico. Under these circumstances it is but natural that she should seek for safety and repose under the protection of some stronger power; and it is equally so that her people should turn to the United States, the land of their birth, in the first instance, in pursuit of such protection. She has often before made known her wishes, but her advances have to this time been repelled. The Executive of the United States sees no longer any cause for pursuing such a course. The hazard of now defeating her wishes may be of the most fatal tendency.

It might lead, and most probably would, to such an entire alienation of sentiment and feeling, as would inevitably induce her to look elsewhere for aid, and force her either to enter into dangerous alliances with other nations, who, looking with more wisdom to their own interests, would, it is fairly to be presumed, readily adopt such expedients; or she would hold out the proffer of discriminating duties in trade and commerce, in order to secure the necessary assistance. Whatever step she might adopt, looking to this object, would prove disastrous in the highest degree, to the interests of the whole Union. To say nothing of the impolicy of our permitting the carrying trade and home market of such a country to pass out of our hands into those of a commercial rival, the Government, in the first place, would be certain to suffer most disastrously in its revenue by the introduction of a system of smuggling, upon an extensive scale, which an army of customhouse officers could not prevent, and which would operate to affect injuriously the interests of all the industrial classes of this country. Hence would arise constant collisions between the inhabitants of the two countries, which would evermore endanger their peace. A large increase of the military force of the United States would inevitably follow, thus devolving upon the people new and extraordinary burdens, in order not only to protect them from the danger of daily collision with Texas herself, but to guard their border inhabitants against hostile inroads, so easily excited on the part of the numerous and warlike tribes of Indians dwelling in their neighborhood.

Texas would undoubtedly be unable for many years to come, if at any time, to resist, unaided and alone, the military power of the United States; but it is not extravagant to suppose that nations reaping a rich harvest from her trade, secured to them by advantageous treaties, would be induced to take part with her in any conflict with us, from the strongest considerations of public policy. Such a state of things might subject to devastation the territory of contiguous

States, and would cost the country, in a single campaign, more treasure, thrice told over, than is stipulated to be paid and reimbursed by the treaty now proposed for ratification. I will not permit myself to dwell on this view of the subject. Consequences of a fatal character to the peace of the Union, and even to the preservation of the Union itself might be dwelt upon. They will not, however, fall to occur to the mind of the Senate and of the country. Nor do I indulge in any vague conjectures of the future. The documents now transmitted along with the treaty lead to the conclusion, as inevitable, that if the boon now tendered be rejected, Texas will seek for the friendship of others. In contemplating such a contingency, it can not be overlooked that the United States are already almost surrounded by the possessions of European powers. The Canadas, New Brunswick, and Nova Scotia, the islands in the American seas, with Texas, trammelled by treaties of alliance, or of a commercial character, differing in policy from that of the United States, would complete the circle. Texas voluntarily steps forth, upon terms of perfect honor and good faith to all nations, to ask to be annexed to the Union. As an independent sovereignty, her right to do this is unquestionable. In doing so, she gives no cause of umbrage to any other power; her people desire it, and there is no slavish transfer of her sovereignty and independence. She has for eight years maintained her independence against all efforts to subdue her. She has been recognized as independent by many of the most prominent of the family of nations, and that recognition, so far as they are concerned, places her in a position, without giving any just cause for umbrage to them to surrender her sovereignty at her own will and pleasure.

The United States, actuated evermore by a spirit of justice, has desired, by the stipulations of the treaty, to render justice to all. They have made provision for the payment of the public debt of Texas. We look to her ample and fertile domain as the certain means of accomplishing this; but this is a matter between the United States and Texas, and with which other Governments have nothing to do. Our right to receive the rich grant tendered by Texas is perfect, and this Government should not, having due respect either to its own honor or its own interests, permit its course of policy to be interrupted by the interference of other powers, even if such interference were threatened. The question is one purely American. In the acquisition, while we abstain most carefully from all that could interrupt the public peace, we claim the right to exercise a due regard to our own. This Government can not, consistently with its honor, permit any such interference. With equal, if not greater, propriety, might the United States demand of other Governments to surrender their numerous and valuable acquisitions, made in past time, at numberless places on the surface of the globe, whereby they have added to their power and enlarged their resources.

To Mexico the Executive is disposed to pursue a course conciliatory in its character and at the same time to render her the most ample justice, by conventions and stipulations not inconsistent with the rights and dignity of the Government. It is actuated by no spirit of unjust aggrandizement, but looks only to its own security. It has made known to Mexico at several periods its extreme anxiety to witness the termination of hostilities between that country and Texas. Its wishes, however, have been entirely disregarded. It has ever been ready to urge an adjustment of the dispute upon terms mutually advantageous to both. It will be ready at all times to hear and discuss any claims Mexico may think she has on the justice of the United States, and to adjust any that may be deemed to be so on the most liberal terms. There is no desire on the part of the Executive to wound her pride or affect injuriously her interest; but at the same time, it can not compromise by any delay in its action the essential interests of the United States. Mexico has no right to ask or expect this of us; we deal rightfully with Texas as an independent power. The war which has been waged for eight years has resulted only in the conviction, with all others than herself, that Texas can not be reconquered. I can not but repeat the opinion expressed in my message at the opening of Congress that it is time it had ceased. The Executive, while it could not look upon its longer continuance without the greatest uneasiness, has nevertheless, for all past time, preserved a course of strict neutrality. It could not be ignorant of the fact of the exhaustion which a war of so long a duration had produced. Least of all was it ignorant of the anxiety of other powers to induce Mexico to enter into terms of reconciliation with Texas, which, affecting the domestic institutions of Texas, would operate most injuriously upon the United States, and might most seriously threaten the existence of this happy Union. Nor

could it be unacquainted with the fact that although foreign Governments might disavow all design to disturb the relations which exist under the Constitution between these States, yet that one, the most powerful amongst them, had not failed to declare its marked and decided hostility to the chief feature in those relations, and its purpose, on all suitable occasions, to urge upon Mexico the adoption of such a course in negotiating with Texas as to produce the obliteration of that feature from her domestic policy, as one of the conditions of her recognition by Mexico as an independent State.

The Executive was also aware of the fact that formidable associations of persons, the subjects of foreign powers, existed who were directing their utmost efforts to the accomplishment of this object. To these conclusions it was inevitably brought by the documents now submitted to the Senate. I repeat, the Executive saw Texas in a state of almost hopeless exhaustion, and the question was narrowed down to the simple proposition whether the United States should accept the boon of annexation upon fair and even liberal terms, or by refusing to do so, force Texas to seek refuge in the arms of some other power, either through a treaty of alliance, offensive and defensive, or the adoption of some other expedient, which might virtually make her tributary to such power and dependent upon it for all future time. The Executive has full reason to believe that such would have been the result without its interposition, and that such will be the result in the event either of unnecessary delay in the ratification or of the rejection of the proposed treaty.

In full view, then, of the highest public duty and as a measure of security against evils incalculably great, the Executive has entered into the negotiation, the fruits of which are now submitted to the Senate. Independent of the urgent reasons which existed for the step it has taken, it might safely invoke the fact, which it confidently believes, that there exists no civilized Government on earth having a voluntary tender made it of a domain so rich and fertile, so replete with all that can add to national greatness and wealth, and so necessary to its peace and safety that would reject the offer. Nor are other powers, Mexico inclusive, likely in any degree to be injuriously affected by the ratification of the treaty. The prosperity of Texas will be equally interesting to all in the increase of the general commerce of the world; that prosperity will be secured by annexation.

But one view of the subject remains to be presented. It grows out of the proposed enlargement of our territory. From this, I am free to confess, I see no danger. The federative system is susceptible of the greatest extension compatible with the ability of the representation of the most distant State or Territory to reach the seat of Government in time to participate in the functions of legislation and to make known the wants of the constituent body. Our confederated Republic consisted originally of thirteen members. It now consists of twice that number, while applications are before Congress to permit other additions. This addition of new States has served to strengthen rather than to weaken the Union. New interests have sprung up which require the united power of all, through the action of the common Government, to protect and defend upon the high seas and in foreign parts. Each State commits with perfect security to that common Government those great interests growing out of our relations with other nations of the world, and which equally involve the good of all the States. Its domestic concerns are left to its own exclusive management. But if there were any force in the objection, it would seem to require an immediate abandonment of territorial possessions which lie in the distance and stretch to a far-off sea: and yet no one would be found, it is believed, ready to recommend such an abandonment. Texas lies at our very doors and in our immediate vicinity.

Under every view which I have been able to take of the subject I think that the interests of our common constituents, the people of all the States, and a love of the Union, left the Executive no other alternative than to negotiate the treaty. The high and solemn duty of ratifying or of rejecting it is wisely devolved on the Senate by the Constitution of the United States.

JOHN TYLER.

WASHINGTON. April 22d, 1844.

The treaty of annexation concluded between the United States of America and the Republic of Texas, at Washington, the 12th April, 1844, was read the first and second times, by unanimous consent.

On motion by Mr. Archer,

Ordered, That the treaty, message, and accompanying documents be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

Mr. Dayton submitted the following resolution:

Resolved, That the President of the United States be requested to communicate to the Senate any communication, papers, or maps in possession of this Government specifying the southern, southwestern, and western boundaries of Texas.

The Senate, by unanimous consent, proceeded to consider the resolution, and agreed thereto.

FRIDAY, MAY 10, 1844.

Mr. Archer, from the Committee on Foreign Relations, to whom was referred, on the 22d April last, the treaty of annexation concluded between the United States of America and the Republic of Texas, at Washington, the 12th day of April, 1844, reported the same to the Senate without amendment.

On motion by Mr. Archer,

The Senate proceeded to consider the first resolution submitted by him on the 8th instant; and,

After debate,

Mr. Archer, by unanimous consent, had leave to withdraw the said resolution.

Mr. Archer submitted the following resolution:

Resolved, That Benjamin Tappan, a Senator from the State of Ohio, having been found by the Senate to have been guilty of a flagrant violation of its rules and contempt of its authority, constituting a case of high breach of trust, be, for such offense, and hereby is expelled.

The Senate, by unanimous consent, proceeded to consider the said resolution; and

After debate,

On motion by Mr. Bayard, that the said resolution be amended by striking out all after the word "Resolved," and inserting the following in lieu thereof:

That Benjamin Tappan, a Senator from the State of Ohio, having willfully and deliberately violated the thirty-eighth rule of the Senate in making known and causing to be published in a newspaper printed in the city of New York, before the injunction of secrecy has been removed, a copy of the treaty of annexation concluded between the United States of America and the Republic of Texas, at Washington, on the 12th day of April, 1844, with the accompanying correspondence communicated to the Senate by the President of the United States, has incurred the just censure of the Senate, and shall receive its reprimand through the Presiding Officer, who is hereby directed to give the same in the presence of the Senate.

After debate,

On motion by Mr. Simmons, that the amendment proposed by Mr. Bayard be amended by striking out all after the word "Ohio," and inserting in lieu thereof, the following:

In furnishing for publication in a newspaper, documents directed by an order of the Senate to be printed in confidence for its use, has been guilty of flagrant violation of the rules of the Senate and disregard of its authority.

After debate,

On the question to agree to the amendment proposed by Mr. Simmons,

It was determined in the affirmative, { Yeas----- 33
Nays----- 12

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Bagby, Barrow, Bates, Benton, Berrien, Breese, Buchanan, Choate, Clayton, Crittenden, Evans, Fairfield, Francis, Fulton, Hannegan, Henderson, Huntington, Jarnagin, Johnson, Lewis, Morehead, Porter, Semple, Sevier, Simmons, Sturgeon, Walker, White, Woodbury, Wright.

Those who voted in the negative are,

Messrs. Archer, Bayard, Haywood, Huger, McDuffie, Mangum, Merrick, Miller, Phelps, Rives, Tallmadge, Woodbridge.

So the amendment was agreed to.

After debate,

On the question to agree to the amendment proposed by Mr. Bayard, as amended.

It was determined in the affirmative. { Yeas----- 38
Nays----- 7

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Bagby, Barrow, Bates, Bayard, Berrian, Breese, Choate, Clayton, Crittenden, Evans, Francis, Fulton, Haywood, Henderson, Huger, Huntington, Jarnagin, Johnson, Lewis, McDuffie, Merrick, Miller, Morehead, Phelps, Porter, Rives, Semple, Simmons, Sturgeon, Tallmadge, White, Woodbridge, Woodbury.

Those who voted in the negative are,

Messrs. Allen, Archer, Atherton, Benton, Buchanan, Mangum, Wright.

So it was

Resolved, That Benjamin Tappan, a Senator from the State of Ohio, in furnishing for publication in a newspaper documents directed by an order of the Senate to be printed in confidence for its use, has been guilty of a flagrant violation of the rules of the Senate and disregard of its authority.

Mr. Archer submitted the following resolution:

Resolved, That in consideration of the acknowledgment and apology tendered by the said Benjamin Tappan for his said offense no further censure be inflicted on him.

The Senate, by unanimous consent, proceeded to consider the said resolution.

On the question to agree thereto,

It was determined in the affirmative, { Yeas----- 39
Nays----- 3

On motion by Mr. Buchanan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,
Messrs. Archer, Atchison, Atherton, Bagby, Barrow, Bates, Benton, Berrien, Breese, Buchanan, Choate, Clayton, Crittenden, Evans, Fairfield, Francis, Fulton, Hannegan, Henderson, Huntington, Jarnagin, Johnson, Lewis, McDuffie, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Rives, Sevier, Simmons, Sturgeon, Walker, White, Woodbridge, Woodbury, Wright.

Those who voted in the negative are,

Messrs. Bayard, Haywood, Huger.

So the resolution was agreed to.

On motion by Mr. Archer,

The Senate proceeded to consider the second resolution submitted by him on the 8th instant.

On motion by Mr. Haywood that it lie on the table,

It was determined in the negative.

On the question to agree to the said resolution,

It was determined in the affirmative, { Yeas----- 21
Nays----- 17

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present.

Those who voted in the affirmative are,

Messrs. Archer, Barrow, Bates, Berrien, Choate, Crittenden, Evans, Fulton, Henderson, Huntington, Johnson, McDuffie, Mangum, Merrick, Miller, Phelps, Porter, Rives, Sevier, Simmons, Woodbury.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Bagby, Breese, Buchanan, Clayton, Fairfield, Hannegan, Haywood, Huger, Jarnagin, Lewis, Sample, Tallmadge, White, Wright.

So it was

Resolved, That the following be added to the Standing Rules of the Senate:

"Any officer or member of the Senate convicted of disclosing for publication any written or printed matter directed by the Senate to be held in confidence, shall be liable, if an officer, to dismissal from the service of the Senate, and in the case of a member to suffer expulsion from the body."

Mr. Archer submitted the following resolution:

Resolved, That the injunction of secrecy be removed from the proceedings of the Senate relative to the publication made, contrary to the rules of the Senate, of the treaty with Texas, and the message and documents accompanying it; and from the report of the committee appointed to inquire into the said publication, and the papers accompanying the same; and from the subsequent proceedings of the Senate on the subject; and also from the resolution prescribing an additional rule, and the proceedings upon the same.

Mr. Crittenden submitted the following resolution:

Resolved, That the President of the United States be requested to inform the Senate whether, since the commencement of the negotiations which resulted in the treaty now before the Senate for the annexation of Texas to the United States, any military preparation has been made or ordered by him for or in anticipation of war; and, if so, for what cause, and with whom was such war apprehended, and what are the preparations that have been made or ordered? Has any movement or assemblage or disposition of any of the military or naval forces of the United States been made or ordered with a view to such hostilities? And to communicate to the Senate copies of all orders or directions given for any such preparation, or for any such movement or disposition, or for the future conduct of such military or naval forces.

Mr. Walker submitted the following resolution:

Resolved, That the injunction of secrecy be removed from the vote of the Senate ratifying any treaty heretofore concluded between the Government of the United States and the Republic of Mexico or Texas.

MONDAY, MAY 13, 1844.

Mr. Benton submitted the following resolution:

Resolved, That the President be requested to communicate to the Senate the copy of the armistice agreed upon between Mexico and Texas, and a copy of President Houston's proclamation declaring the same, provided the evidence of such armistice and proclamation be in the Department of State.

The Senate, by unanimous consent, proceeded to consider the said resolution, and agreed thereto.

Mr. Benton submitted the following resolution:

Resolved, That the President be requested to inform the Senate whether a messenger has been sent to Mexico with a view to obtain her consent to the treaty with Texas; and, if so, to communicate to the Senate a copy of the dispatches of which he is bearer, and a copy of the instructions given to said messenger, and also to inform the Senate within what time said messenger is expected to return.

The Senate, by unanimous consent, proceeded to consider the said resolution.

On motion by Mr. Archer, to amend the resolution by inserting, after the word "requested," *if not incompatible with the public interest.*

It was determined in the negative, and the resolution was then agreed to without amendment.

Mr. Benton submitted the following resolution:

Resolved, That the author of the "private letter" (believed to be Duff Green) from London, in the summer of 1843, and addressed to the then American Secretary of State (Mr. Upshur), and giving him information of the supposed antislavery designs of Great Britain in Texas, and which information was the basis and moving cause of the American Secretary's leading dispatch to the American chargé in Texas to procure the annexation of Texas to the United States, be summoned to appear at the bar of the Senate to be examined on oath in relation to the subject matter of his said communication from London; and also to be examined by the Senate on all points that they shall think proper in relation to his knowledge of the origin, progress, and conclusion of the Texas treaty, and all the objects thereof, and of all influences and interests which may have operated in setting on foot and carrying on the negotiations for the conclusion and ratification of said treaty.

Resolved, also, That the Senate will examine, either at its bar or by a committee, any other persons that it shall have reason to believe can give information on all or any one of the foregoing points of inquiry.

Mr. Benton submitted the following resolutions:

Resolved, That the ratification of the treaty for the annexation of Texas to the United States would be an adoption of the Texan war by the United States and would devolve its conduct and conclusion upon the said United States.

Resolved, That the treaty-making power does not extend to the power of making war, and that the President and Senate have no right to make war, either by declaration or adoption.

Resolved, That the country dismembered from the United States by the treaty of 1819 with Spain, comprehending Texas, and a large territory between the Red River and the Arkansas, and being geographically appurtenant to the United States, and essential to their political, commercial, and social system, ought to be reunited to the American Union as soon as it can be done with the consent of a majority of the people of the United States and of Texas, and when Mexico shall either consent to the same or acknowledge the independence

of Texas, or cease to prosecute the war against her (the armistice having expired) on a scale commensurate to the conquest of the country.

Ordered, That the three said resolutions last submitted by Mr. Benton be printed in confidence for the use of the Senate.

On motion by Mr. Crittenden,

The Senate proceeded to consider the resolution submitted by him on the 10th instant, and agreed thereto.

The Senate resumed the consideration of the resolution submitted by Mr. Crittenden the 29th April last, together with the amendment proposed by Mr. McDuffie and the amendment proposed by Mr. Allen to that amendment,

On the question to agree to the amendment proposed by Mr. Allen to the amendment,

It was determined in the negative.

The amendment proposed by Mr. McDuffie was then agreed to.

On motion by Mr. Sevier, that the resolution as amended lie on the table,

It was determined in the negative, { Yeas----- 18
Nays----- 23

On motion by Mr. Sevier,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Archer, Bagby, Berrien, Breese, Buchanan, Clayton, Fulton, Hannegan, Haywood, Henderson, Huger, Lewis, McDuffie, Phelps, Semple, Sevier, Walker, Woodbury.

Those who voted in the negative are,

Messrs. Atherton, Barrow, Bates, Bayard, Benton, Choate, Crittenden, Evans, Fairfield, Francis, Huntington, Jarnagin, Johnson, Mangum, Miller, Morehead, Porter, Simmons, Tallmadge, Tappan, White, Woodbridge, Wright.

On motion by Mr. Crittenden,

Ordered, That the resolution be postponed to and made the order of the day for to-morrow.

Mr. Crittenden submitted the following resolution:

Resolved, That the treaty of annexation be made the special order in executive session for Wednesday next, at 1 o'clock p. m., and on every succeeding day at the same hour until it is finally disposed of.

THURSDAY, MAY 14, 1844.

On motion of Mr. Crittenden,

The Senate proceeded to consider the resolution submitted by him on the 13th instant; and,

After debate,

On motion by Mr. Buchanan to amend the resolution by striking out all after the word "Resolved," and inserting the following:

That the consideration of the treaty of annexation be postponed until the 1st day of June next.

After debate,

On motion by Mr. Rives that the resolution be postponed to this day week,

It was determined in the negative, { Yeas----- 20
Nays----- 27

On motion by Mr. Evans,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Archer, Atchison, Atherton, Bagby, Breese, Buchanan, Colquitt, Fairfield, Fulton, Haywood, Henderson, Huger, Lewis, McDuffie, Rives, Semple, Sevier, Sturgeon, Walker, Woodbury.

Those who voted in the negative are,

Messrs. Barrow, Bates, Bayard, Benton, Berrien, Choate, Clayton, Crittenden, Dayton, Evans, Francis, Hannegan, Huntington, Jarnagin, Johnson, Mangum, Miller, Morehead, Pearce, Phelps, Porter, Simmons, Tallmadge, Tappan, White, Woodbridge, Wright.

On the question to agree to the amendment proposed by Mr. Buchanan,

It was determined in the negative.	{ Yeas -----	18
	{ Nays -----	29

On motion by Mr. Buchanan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Archer, Atherton, Breese, Buchanan, Colquitt, Fairfield, Fulton, Haywood, Henderson, Huger, Lewis, McDuffie, Rives, Semple, Sevier, Sturgeon, Walker, Woodbury.

Those who voted in the negative are,

Messrs. Atchison, Bagby, Barrow, Bates, Bayard, Benton, Berrien, Choate, Clayton, Crittenden, Dayton, Evans, Francis, Hannegan, Huntington, Jernagin, Johnson, Mangum, Miller, Morehead, Pearce, Phelps, Porter, Simmons, Tallmadge, Tappan, White, Woodbridge, Wright.

On motion by Mr. Allen to amend the resolution by striking the words "and on every succeeding day at the same hour until it is finally disposed of,"

After debate,

It was determined in the negative.

On motion by Mr. Archer,

The resolution was amended by striking out "Wednesday" and inserting *Thursday*.

On motion by Mr. McDuffie to amend the resolution by striking out "one o'clock" and inserting *two o'clock*,

It was determined in the negative,	{ Yeas -----	20
	{ Nays -----	24

On motion by Mr. Huger.

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Archer, Atchison, Bagby, Benton, Breese, Colquitt, Fairfield, Fulton, Hannegan, Henderson, Huger, Lewis, McDuffie, Rives, Semple, Sevier, Sturgeon, Walker.

Those who voted in the negative are,

Messrs. Barrow, Bates, Bayard, Barrien, Choate, Clayton, Crittenden, Dayton, Evans, Francis, Haywood, Huntington, Jarnagin, Johnson, Mangum, Miller, Morehead, Pearce, Phelps, Porter, Simmons, Tallmadge, White, Woodbridge.

On the question to agree to the resolution amended as follows:

Resolved, That the treaty of annexation be made the special order in executive session for Thursday next at 1 o'clock p. m., and on every succeeding day at the same hour until it is finally disposed of,

It was determined in the affirmative.

On motion by Mr. Walker that the Senate proceed to the consideration of the motive submitted by him on the 10th instant,

On motion by Mr. Archer,

The Senate adjourned.

WEDNESDAY, MAY 15, 1844.

The following messages were received from the President of the United States, by Mr. Tyler, his secretary:

To the Senate of the United States:

In answer to the resolution of the Senate of the 13th instant, requesting to be informed "whether, since the commencement of the negotiations, which resulted in the treaty now before the Senate for the annexation of Texas to the United States, any military preparation has been made or ordered by the President for or in anticipation of war; and, if so, for what cause and with whom was such war apprehended, and what are the preparations that have been made or ordered? Has any movement, or assemblage, or disposition of any of the military or naval forces of the United States been made or ordered with a view to such hostilities? And to communicate to the Senate copies of all orders or directions given for any such preparation, or for any such movement or disposition, or for the future conduct of such military or naval forces"—I have to inform the Senate that in consequence of the declaration of Mexico communicated to this Government, and by me laid before Congress at the opening of its present session, announcing the determination of Mexico to regard as a declaration of war against her by the United States the definitive ratification of any treaty with Texas annexing the territory of that Republic to the United States; and the hope and belief entertained by the Executive that the treaty with Texas for that purpose would be speedily approved and ratified by the Senate, it was regarded by the Executive to have become emphatically its duty to concentrate in the Gulf of Mexico and its vicinity, as a precautionary measure, as large a portion of the home squadron, under the command of Captain Conner, as could well be drawn together; and at the same time to assemble at Fort Jusupe, on the borders of Texas, as large a military force as the demands of the service at other encampments would authorize to be detached. For the number of ships already in the Gulf and the waters contiguous thereto, and such as are placed under orders for that destination, and of troops now assembled upon the frontier, I refer you to the accompanying reports from the Secretaries of the War and Navy Departments.

It will also be perceived by the Senate, by referring to the orders of the Navy Department, which are herewith transmitted, that the naval officer in command of the fleet is directed to cause his ships to perform all the duties of a fleet of observation, and to apprise the Executive of any indication of a hostile design upon Texas, on the part of any nation, pending the deliberations of the Senate upon the treaty, with a view that the same should promptly be submitted to Congress for its mature deliberation. At the same time it is due to myself that I should declare it as my opinion that the United States having, by the treaty of annexation, acquired a title to Texas, which requires only the action of the Senate to perfect it, no other power could be permitted to invade and by force of arms to possess itself of any portion of the territory of Texas, pending your deliberations upon the treaty, without placing itself in an hostile attitude to the United States, and justifying the employment of any military means at our disposal to drive back the invasion. At the same time, it is my opinion that Mexico or any other power will find in your approval of the treaty no just cause of war against the United States, nor do I believe that there is any serious hazard of war to be found in the fact of such approval. Nevertheless every proper measure will be resorted to by the Executive to preserve upon an honorable and just basis the public peace, by reconciling Mexico, through a liberal course of policy, to the treaty.

JOHN TYLER.

WASHINGTON, May 15, 1844.

To the Senate of the United States:

In answer to the resolution of the Senate of the 13th instant, requesting to be informed "whether a messenger has been sent to Mexico with a view to obtain her consent to the treaty with Texas; and, if so, to communicate to the Senate a copy of the dispatches of which he is bearer and a copy of the instructions given to said messenger; and also to inform the Senate within what time said messenger is expected to return," I have to say that no messenger has been sent to Mexico in order to obtain her assent to the treaty with Texas, it not being regarded by the Executive as in any degree requisite to obtain such consent in order (should the Senate ratify the treaty) to perfect the title of the United States to the territory thus acquired, the title to the same being full and perfect without the assent of any third power. The Executive has negotiated with Texas as an independent power of the world, long since recognized as such by the United States and other powers, and as subordinate in all her rights of full sovereignty to no other power. A messenger has been dispatched to our minister at Mexico as bearer of the dispatch already communicated to the Senate, and which is to be found in the letter addressed to Mr. Green, and forms a part of the documents ordered confidentially to be printed for the use of the Senate. That dispatch was dictated by a desire to preserve the peace of the two countries by denying to Mexico all pretext for assuming a belligerent attitude to the United States, as she had threatened to do in the event of the annexation of Texas to the United States, by the dispatch of her Government which was communicated by me to Congress at the opening of its present session. The messenger is expected to return before the 15th of June next, but he may be detained to a later day. The recently appointed envoy from the United States to Mexico will be sent so soon as the final action is had on the question of annexation, at which time, and not before, can his instructions be understandingly prepared.

JOHN TYLER.

WASHINGTON, May 15, 1844.

The messages were read.

On motion by Mr. Benton,

Ordered, That the messages, and documents communicated therewith, be printed in confidence for the use of the Senate.

On motion by Mr. Crittenden,

The Senate resumed the consideration of the resolution submitted by him on the 29th April last, as amended on the 13th instant.

On motion by Mr. Crittenden to amend the resolution, as amended, by striking out all after the words "Resolved, That," and inserting:

Whereas the annexation of the Republic of Texas to the United States is a subject of great importance, on which the will of the people of this Union ought to be consulted; and whereas the treaty for that annexation, now before the Senate, is of great moment, and there is nothing in said treaty, or the documents accompanying it, which requires the further observance of secrecy, and, resting as it does upon its own peculiar circumstances, can not be drawn into precedent for different cases in time to come: Therefore, the injunction of secrecy be, and the same is hereby, removed from said treaty, and all documents and papers in relation thereto, now before the Senate.

On motion by Mr. Sevier to strike out the preamble of the amendment, commencing with the word "whereas," in the first line, and ending with the word "therefore," in the eleventh line,

After debate,

On the question to agree thereto,

It was determined in the negative,	{ Yeas-----	11
	{ Nays-----	29

On motion by Mr. Sevier,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are:

Messrs. Brees, Buchanan, Colquitt, Fulton, Haywood, Huger, Semple, Sevier, Sturgeon, Walker, Woodbury.

Those who voted in the negative are:

Messrs. Allen, Archer, Atherton, Barrow, Bates, Bayard, Benton, Berien, Clayton, Crittenden, Evans, Fairfield, Francis, Huntington, Jarnagin, Johnson, Lewis, McDuffie, Mangum, Miller, Morehead, Pearce, Phelps, Porter, Simmons, Tappan, White, Woodbridge, Wright.

So the amendment proposed by Mr. Sevier was rejected.

On motion by Mr. McDuffie that the Senate do now adjourn,

It was determined in the negative, {	Yeas-----	19
	Nays-----	24

On motion by Mr. Sevier,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are:

Messrs. Archer, Atherton, Bagby, Berrien, Breese, Buchanan, Colquitt, Fulton, Hannegan, Haywood, Huger, Lewis, McDuffie, Semple, Sevier, Sturgeon, Tallmadge, Walker, Woodbury.

Those who voted in the negative are,

Messrs. Allen, Barrow, Bates, Bayard, Benton, Clayton, Crittenden, Evans, Fairfield, Francis, Huntington, Jarnagin, Johnson, Mangum, Miller, Morehead, Pearce, Phelps, Porter, Simmons, Tappan, White, Woodbridge, Wright.

On motion by Mr. McDuffie to amend the amendment proposed by Mr. Crittenden by adding at the end thereof the words *except the messages and documents received this day,*

It was determined in the negative, {	Yeas-----	21
	Nays-----	22

On motion by Mr. Walker,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Archer, Atherton, Bagby, Berrien, Breese, Buchanan, Colquitt, Fairchild, Francis, Fulton, Hannegan, Haywood, Huger, Lewis, McDuffie, Semple, Sevier, Sturgeon, Tallmadge, Walker, Woodbury.

Those who voted in the negative are,

Messrs. Allen, Barrow, Bates, Bayard, Benton, Clayton, Crittenden, Evans, Huntington, Jarnagin, Johnson, Mangum, Miller, Morehead, Pearce, Phelps, Porter, Simmons, Tappan, White, Woodbridge, Wright.

So the amendment proposed by Mr. McDuffie was rejected.

On motion by Mr. Walker to amend the amendment proposed by Mr. Crittenden by adding at the end thereof the following: *And that a reasonable time should be given to hear from the people, after this publication, before the final decision of the Senate upon the treaty.*

It was determined in the negative, {	Yeas-----	15
	Nays-----	28

On motion by Mr. Walker,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atherton, Breese, Buchanan, Colquitt, Fairfield, Fulton, Hannegan, Lewis, McDuffie, Semple, Sevier, Sturgeon, Walker, Woodbury.

Those who voted in the negative are,

Messrs. Archer, Bagby, Barrow, Bates, Bayard, Benton, Berrien, Clayton, Crittenden, Evans, Francis, Haywood, Huger, Huntington, Jarnagin, Johnson, Mangum, Miller, Morehead Pearce, Phelps, Porter, Simmons, Tallmadge, Tappan, White, Woodbridge, Wright.

So the amendment proposed by Mr. Walker was rejected.

On the question to agree to the amendment proposed by Mr. Crittenden,

It was determined in the affirmative, { Yeas----- 27
Nays----- 14

On motion by Mr. Walker,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atherton, Barrow, Bates, Bayard, Benton, Berrien, Clayton, Crittenden, Evans, Fairfield, Francis, Huntington, Jarnagin, Johnson, Mangum, Miller, Morehead, Pearce, Phelps, Porter, Simmons, Tallmadge, Tappan, White, Woodbridge, Wright.

Those who voted in the negative are,

Messrs. Archer, Bagby, Breese, Fulton, Hannegan, Haywood, Huger, Lewis, McDuffie, Semple, Sevier, Sturgeon, Walker, Woodbury.

So the amendment proposed by Mr. Crittenden was agreed to.

On the question to agree to the resolution of Mr. Crittenden, as amended,

It was determined in the affirmative, { Yeas----- 26
Nays----- 17

On motion by Mr. Berrien,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atherton, Barrow, Bates, Bayard, Benton, Clayton, Crittenden, Evans, Fairfield, Francis, Haywood, Huntington, Jarnagin, Johnson, Mangum, Miller, Morehead, Pearce, Phelps, Porter, Simmons, Tappan, White, Woodbridge, Wright.

Those who voted in the negative are,

Messrs. Archer, Bagby, Berrien, Breese, Buchanan, Colquitt, Fulton, Hannegan, Huger, Lewis, McDuffie, Semple, Sevier, Sturgeon, Tallmadge, Walker, Woodbury.

So the resolution was agreed to, as follows:

Resolved, That whereas the annexation of the Republic of Texas to the United States is a subject of great importance, on which the will of the people of this Union ought to be consulted; and whereas the treaty for that annexation, now before the Senate, is of great moment, and there is nothing in said treaty, or the documents accompanying it, which requires the further observance of secrecy, and, resting as it does upon its own peculiar circumstances, can not be drawn into precedent for different cases in time to come: Therefore, the injunction of secrecy be, and the same is hereby, removed from said treaty, and all documents and papers in relation thereto, now before the Senate.

Mr. Tappan submitted the following resolution:

Resolved, That twenty thousand copies of the treaty, documents, and papers from which the injunction of secrecy has been removed this day be printed for the use of the Senate.

On motion by Mr. Berrien,
The Senate adjourned.

THURSDAY, MAY 16, 1844.

On motion by Mr. Walker,

The Senate proceeded to consider the resolution submitted by him on the 10th instant.

On motion by Mr. Walker, to amend the resolution by striking out all after the word "Resolved," and inserting: *That the injunction of secrecy be removed from the vote of the Senate of the 4th of April, 1832, ratifying the treaty of limits concluded between the United States and the Republic of Mexico,*

It was determined in the affirmative; and

The resolution as amended was then agreed to.

On motion by Mr. Haywood to reconsider the vote agreeing to the resolution for removing the injunction of secrecy from the treaty of annexation and documents,

It was determined in the negative,	{	Yeas -----	18
		Nays -----	26

On motion by Mr. Haywood,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Archer, Bagby, Berrien, Breese, Buchanan, Colquitt, Fulton, Haywood, Henderson, Huger, Lewis, McDuffie, Rives, Semple, Sevier, Sturgeon, Walker, Woodbury.

Those who voted in the negative are,

Messrs. Allen, Atherton, Bates, Bayard, Benton, Choate, Clayton, Crittenden, Dayton, Evans, Fairfield, Francis, Huntington, Jarnagin, Johnson, Mangum, Miller, Morehead, Phelps, Porter, Simmons, Talmadge, Tappan, White, Woodbridge, Wright.

So the motion to reconsider was rejected.

On motion by Mr. Tappan,

The Senate proceeded to consider the resolution submitted by him yesterday.

On motion by Mr. Crittenden to amend the resolution by adding to the end thereof the following: *Together with so much of the President's message at the commencement of the present session of Congress as relates to the affairs of Mexico and Texas, and all the documents upon the same subject communicated with said message, and also the letter of the Texan chargé d'affaires to John Forsyth, former Secretary of State, upon the subject of annexation, the answer of Mr. Forsyth thereto, and the reply of the Texan chargé d'affaires to the same,*

It was determined in the affirmative.

On motion by Mr. Walker to amend the resolution, as amended, by adding at the end thereof the following: *And also the letter of*

Mr. Webster, as Secretary of the State, to Mr. Thompson, our minister at Mexico, dated July 8th, 1842.

It was determined in the negative, { Yeas ----- 15
Nays ----- 26

On motion by Mr. Walker.

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Bagby, Buchanan, Colquitt, Fulton, Haywood, Huger, Lewis, McDuffie, Rives, Semple, Sevier, Sturgeon, Tallmadge, Walker, Woodbury.

Those who voted in the negative are,

Messrs. Archer, Atherton, Bates, Bayard, Benton, Berrien, Choate, Clayton, Crittenden, Dayton, Evans, Fairfield, Francis, Huntington, Jarnagin, Johnson, Mangum, Miller, Morehead, Niles, Porter, Simons, Tappan, White, Woodbridge, Wright.

So the amendment proposed by Mr. Walker was rejected.

On motion by Mr. Sevier to amend the resolution, as amended, by adding at the end thereof the following: *And also all the proceedings and votes of the Senate upon the subject of the removal of the injunction of secrecy from the treaty and documents aforesaid, and from which votes and proceedings the injunction of secrecy is hereby removed.*

It was determined in the affirmative.

On motion by Mr. McDuffie to amend the resolution, as amended, by adding at the end thereof the following: *And also the correspondence of Mr. Clay and Mr. Van Buren with our ministers at Mexico relative to the annexation of Texas to the United States proposed by Presidents Adams and Jackson, and all the official documents on that subject,*

It was determined in the negative, { Yeas ----- 17
Nays ----- 26

On motion by Mr. McDuffie,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Bagby, Breese, Buchanan, Colquitt, Fulton, Haywood, Huger, Lewis, McDuffie, Morehead, Rives, Semple, Sevier, Sturgeon, Tallmadge, Walker, Woodbury.

Those who voted in the negative are,

Messrs. Allen, Archer, Atherton, Bates, Bayard, Benton, Berrien, Choate, Clayton, Crittenden, Dayton, Evans, Fairfield, Francis, Henderson, Huntington, Jarnagin, Johnson, Miller, Niles, Porter, Simons, Tappan, White, Woodbridge, Wright.

So the amendment proposed by Mr. McDuffie was rejected.

The resolution, as amended, was then agreed to, as follows:

Resolved, That twenty thousand copies of the treaty, documents, and papers from which the injunction of secrecy has been removed be printed for the use of the Senate, together with so much of the President's message at the commencement of the present session of Congress as relates to the affairs of Mexico and Texas, and all the documents upon the same subject communicated with said message, and also the letter of the Texan chargé d'affaires to John Forsyth, former Secretary of State, upon the subject of annexation, the answer of Mr.

Forsyth thereto, and the reply of the Texan chargé d'affaires to the same; and also all the proceedings and votes of the Senate upon the subject of the removal of the injunction of secrecy from the treaty and documents aforesaid, and from which proceedings and votes the injunction of secrecy is hereby removed.

On motion by Mr. Archer,

The Senate proceeded to consider the resolution submitted by him the 10th instant for the removal of the injunction of secrecy from certain proceedings of the Senate, and agreed thereto.

Mr. Choate submitted the following resolutions:

Resolved, That a war undertaken against Mexico for the purpose of effecting the annexation of Texas to the United States, or one immediately occasioned or adopted by such annexation, would be at this time and under the existing circumstances, upon the part of this Government and country, and in the judgment of public law, of morality, and of the Christian religion, an unjust war.

Resolved, That a compact, arrangement, or other transaction between the United States and an independent foreign Government, or foreign Government assumed to be independent, and which is at war with a third power, whereby the national existence and character of such foreign Government is intended to be extinguished, and its territory and domain are intended to be absorbed and lost in our own, is not a treaty in the sense of public law or of the Federal Constitution, and the President and Senate can not communicate to such compact, arrangement, or other transaction any legal or constitutional validity.

On motion by Mr. Walker,

Ordered, That these resolutions be printed in confidence for the use of the Senate.

Mr. Benton submitted the following resolution:

Resolved, That the further proceedings of the Senate on the ratification of the treaty for the annexation of the Republic of Texas to the United States be had with open doors.

The Senate, by unanimous consent, proceeded to consider the said resolution.

On the question to agree thereto,

It was determined in the negative, {	Yeas-----	12
	Nays-----	30

On motion by Mr. Benton,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Allen, Atherton, Benton, Fairfield, Haywood, Henderson, Jarnagin, Niles, Porter, Simmons, White, Wright.

Those who voted in the negative are,

Messrs. Archer, Bagby, Bates, Bayard, Berrien, Breese, Buchanan, Choate, Clayton, Colquitt, Dayton, Evans, Francis, Fulton, Huger, Huntington, Johnson, Lewis, McDuffie, Mangum, Miller, Morehead, Pearce, Rives, Semple, Sevier, Tallmadge, Walker, Woodbridge, Woodbury.

So the resolution was rejected.

On motion by Mr. Archer,

The Senate proceeded, as in Committee of the Whole, to consider the treaty of annexation concluded between the United States of America and the Republic of Texas at Washington the 13th day of April, 1844; and,

On motion by Mr. Walker,

Ordered, That it be postponed to and made the order of the day for to-morrow.

On motion by Mr. Walker,
The Senate proceeded to consider the three resolutions submitted
by Mr. Benton on the 13th instant; and,
After debate,
On motion by Mr. Walker,
The Senate adjourned.

FRIDAY, MAY 17, 1844.

Mr. Lewis submitted the following resolution:

Resolved, That one thousand copies of the map of Texas, lately sent by the Executive to the Senate, be published for the use of the Senate.

The following messages were received from the President of the United States, by Mr. Tyler, his secretary:

To the Senate of the United States:

In my message communicating the treaty with Texas I expressed the opinion that if Texas was not now annexed it was probable that the opportunity of annexing it to the United States would be lost forever. Since then the subject has been much agitated, and if an opinion may be formed of the chief ground of the opposition to the treaty, it is not that Texas ought not at some time or other be annexed, but that the present is not the proper time. It becomes, therefore, important in this view of the subject, and is alike due to the Senate and the country, that I should furnish any papers in my possession which may be calculated to impress the Senate with the correctness of the opinion thus expressed by me. With this view, I herewith transmit a report from the Secretary of State, accompanied by various communications on the subject. These communications are from private sources; and it is to be remarked that a resort must in all such cases be had chiefly to private sources of information, since it is not to be expected that any Government, more especially if situated as Texas is, would be inclined to develop to the world its ulterior line of policy.

Among the extracts is one from a letter from General Houston to General Andrew Jackson, to which I particularly invite your attention; and another from General Jackson to a gentleman of high respectability now of this place. Considering that General Jackson was placed in a situation to hold the freest and fullest interview with Mr. Miller, the private and confidential secretary of President Houston, who, President Houston informed General Jackson, "knows all his actions, and understands all his motives," and who was authorized to communicate to General Jackson the views of the policy entertained by the President of Texas, as well applicable to the present as the future, that the declaration made by General Jackson in his letter, "that the present golden moment to obtain Texas must not be lost, or Texas might, from necessity, be thrown into the arms of England, and be forever lost to the United States," were made with a full knowledge of all circumstances, and ought to be received as conclusive of what will be the course of Texas, should the present treaty fail. From this high source, sustained, if it requires to be sustained, by the accompanying communications, I entertain not the least doubt that if annexation should now fail, it will, in all human probability, fail forever. Indeed, I have strong reasons to believe that instructions have already been given by the Texan Government to propose to the Government of Great Britain, forthwith, on the failure, to enter into a treaty of commerce, and an alliance offensive and defensive.

JOHN TYLER.

WASHINGTON, May 16, 1844.

To the Senate of the United States:

In answer to the resolution of the Senate of the 13th instant, relating to a supposed armistice between the Republics of Mexico and Texas, I transmit a report from the Secretary of State, and the papers by which it was accompanied.

JOHN TYLER.

WASHINGTON, 17th May, 1844.

The messages were read.

On motion by Mr. Sevier that the message with the accompanying report from the Secretary State, and the correspondence communicated with it, showing the probable course of the Government of Texas if the treaty of annexation should now fail, be printed in confidence for the use of the Senate.

It was determined in the negative, { Yeas----- 17
Nays----- 27

On motion by Mr. Sevier,
The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,
Messrs. Atchison, Breese, Buchanan, Colquitt, Fulton, Haywood, Henderson, Huger, Lewis, McDuffie, Semple, Sevier, Sturgeon, Walker, White, Woodbury, Wright.

Those who voted in the negative are,
Messrs. Allen, Archer, Atherton, Bagby, Barrow, Bates, Bayard, Benton, Berrien, Choate, Crittenden, Evans, Fairfield, Francis, Huntington, Jarnagin, Johnson, Mangun, Miller, Morehead, Niles, Pearce, Porter, Rives, Simmons, Tappan, Woodbridge.

So the motion to print was rejected.

On motion by Mr. Sevier,

Ordered. That the message transmitting a report from the Secretary of State, and sundry papers, in answer to the resolution of the Senate of the 13th instant, relating to a supposed armistice between the Republics of Mexico and Texas, be printed in confidence for the use of the Senate,

On motion by Mr. Berrien that the said message, report, and papers be referred to the Committee on Foreign Relations, to consider and report thereon,

It was determined in the affirmative, { Yeas----- 24
Nays----- 22

On motion by Mr. Sevier,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,
Messrs. Archer, Barrow, Bates, Bayard, Benton, Berrien, Choate, Clayton, Crittenden, Evans, Francis, Huntington, Jarnagin, Johnson, Mangum, Miller, Morehead, Pearce, Porter, Rives, Simmons, Tappan, Woodbridge, Wright.

Those who voted in the negative are,
Messrs. Allen, Atchison, Atherton, Bagby, Breese, Buchanan, Colquitt, Fairfield, Fulton, Hannegan, Haywood, Huger, Lewis, McDuffie, Niles, Phelps, Semple, Sevier, Sturgeon, Walker, White, Woodbury.

So it was

Ordered. That said message, report, and papers be referred to the Committee on Foreign Relations, to consider and report thereon.

Mr. Sevier submitted the following resolution:

Resolved. That the injunction of secrecy be removed from the message of the President relative to the armistice between Mexico and Texas, and the accompanying documents, and that it is published in connection with the documents of which twenty thousand copies were ordered to be printed.

Mr. Jarnagin submitted the following resolution :

Resolved, That the Secretary of the Treasury be directed, with as little delay as possible, to communicate to the Senate whether any and what sums of money have been drawn from the Treasury to be expended to carry into effect the orders of the War and Navy Departments, made since the 12th day of April last, for stationing troops or increasing the military forces upon or near the frontiers of Texas and the Gulf of Mexico, and for placing a naval force in the Gulf of Mexico, with any other expenditures connected with those movements; and that he state particularly under what law of Congress and from what appropriation such moneys have been taken from the Treasury for expenditure.

SATURDAY, MAY 18, 1844.

Mr. Benton submitted the following resolution :

Resolved, That the incorporation of the left bank of Rio del Norte into the American Union, by virtue of a treaty with Texas, comprehending, as the said incorporation would do, a part of the Mexican departments of New Mexico, Chihuahua, Coahuila, and Tamaulipas, would be an act of direct aggression on Mexico, for all the consequences of which the United States would stand responsible in the eyes of the civilized world.

The Senate resumed the consideration of the three resolutions submitted by Mr. Benton on the 13th instant; and,

After debate,

On motion by Mr. Benton,

Ordered, That they lie on the table.

Mr. Benton submitted the following resolution :

Resolved, That the injunction of secrecy be removed from Mr. Benton's speech on the Texas treaty, as far as delivered.

On motion by Mr. Berrien that the Senate do now adjourn,

It was determined in the negative,	{ Yeas -----	16
	{ Nays -----	22

On motion by Mr. Benton,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are :

Messrs. Archer, Barrow, Bayard, Berrien, Breese, Buchanan, Clayton, Fulton, Hannegan, Huger, Lewis, McDuffie, Rives, Semple, Sevier, Walker.

Those who voted in the negative are,

Messrs. Allen, Atherton, Bates, Benton, Choate, Crittenden, Evans, Fairfield, Francis, Henderson, Huntington, Jarnagin, Mangum, Miller, Morehead, Niles, Pearce, Porter, Simmons, Tappan, Woodbridge, Wright.

On motion by Mr. Crittenden,

The Senate proceeded to consider the resolution submitted by Mr. Jarnagin on the 17th instant; and agreed thereto.

MONDAY, MAY 20, 1844.

The President *pro tempore* laid before the Senate a report from the Secretary of the Treasury, in compliance with a resolution of the Senate of the 18th instant, in relation to the sums of money drawn from the Treasury to carry into effect the orders of the War and Navy Departments for placing troops near the frontiers of Texas and a naval force in the Gulf of Mexico; which was read.

On motion by Mr. Archer,
The Senate proceeded to consider the three resolutions submitted
by Mr. Benton on the 13th instant; and,
After debate,

On motion by Mr. Benton,

Ordered, That they lie on the table.

On motion by Mr. Walker,
The Senate proceeded to consider the resolution submitted by
Mr. Sevier on the 17th instant, and agreed thereto.

On motion by Mr. Benton,

The Senate proceeded to consider the resolution submitted by him
on the 18th instant, to remove the injunction of secrecy from his
speech on the treaty with Texas.

On motion by Mr. Benton to amend the resolution by striking out
the words "as far as delivered," and inserting the words *and resolutions connected therewith*,

It was determined in the affirmative.

On motion by Mr. Walker to amend the resolution by adding at
the end thereof, as amended, the following words: *And all other speeches on the same subject, as soon as delivered*,

It was determined in the affirmative.

On the question to agree to the resolution, as amended,

It was determined in the affirmative,	{ Yeas-----	29
	{ Nays-----	12

On motion by Mr. Buchanan,

The yeas and nays being desired by one-fifth of the Senators
present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Barrow, Bates, Bayard, Benton,
Choate, Crittenden, Evans, Fairfield, Hannegan, Henderson, Hunt-
ington, Janragin, Johnson, Lewis, Mangum, Miller, Morehead, Niles,
Pearce, Porter, Semple, Simmons, Tappan, White, Woodbridge,
Wright.

Those who voted in the negative are,

Messrs. Archer, Bagby, Berrien, Breese, Buchanan, Clayton, Ful-
ton, Huger, McDuffie, Rives, Sevier, Tallmadge.

So the resolution was agreed to, as follows:

Resolved, That the injunction of secrecy be removed from Mr. Benton's speech
on the Texas treaty, and resolutions connected therewith, and all other speeches
on the same subject, as soon as delivered.

On motion by Mr. Archer,

Ordered, That the injunction of secrecy be removed from this resolution.

TUESDAY, MAY 21, 1844.

The following message was received from the President of the
United States, by Mr. Tyler, his secretary:

To the Senate of the United States:

In answer to the resolution of the Senate of the 29th ult., upon the subject
of unpublished correspondence in regard to the purchase of or title to Texas,
I transmit a report from the Secretary of State, and the documents by which
it was accompanied.

JOHN TYLER.

WASHINGTON, 18th May, 1844.

The message was read.

Ordered, That the message and documents be referred to the Committee on Foreign Relations.

On motion by Mr. Walker,

The Senate proceeded to consider the three resolutions submitted by Mr. Benton on the 13th instant; and,

After debate,

On motion by Mr. Choate,

The Senate adjourned.

WEDNESDAY, MAY 22, 1844.

Mr. Benton submitted the following resolution:

Resolved, That the President be requested to inform the Senate whether any engagement or agreement has taken place between the President of the United States and the President of Texas in relation to naval or military aid, or any other aid, to Texas, in the event of an agreement on the part of Texas to annex herself to the United States; and, if so, all the particulars of such agreement or promise, with the copies of the same, if in writing; and also a copy of all communications, if any have been made, to the President of Texas, informing him of the march and sailing of portions of our Army and Navy, and the orders given them to communicate with and report to the said President of Texas.

The Senate, by unanimous consent, proceeded to consider the resolution, and agreed thereto.

On motion by Mr. Choate,

The Senate proceeded to consider the three resolutions submitted by Mr. Benton on the 13th instant; and,

After debate,

On motion by Mr. McDuffie,

Ordered, That they lie on the table.

THURSDAY, MAY 23, 1844.

The following message was received from the President of the United States, by Mr. Waggaman:

To the Senate of the United States:

Your resolution of the 18th instant, adopted in *executive* session, addressed to the Secretary of the Treasury *ad interim*, has been communicated to me by that officer. While I can not recognize this call thus made on the head of a Department as consistent with the constitutional rights of the Senate when acting in its executive capacity, which in such case can only properly hold correspondence with the President of the United States, nevertheless, from an anxious desire to lay before the Senate all such information as may be necessary to enable it with full understanding to act upon any subject which may be before it, I herewith transmit communications which have been made to me by the Secretaries of the War and Navy Departments, in full answer to the resolution of the Senate.

JOHN TYLER.

WASHINGTON, May 23, 1844.

The message was read.

On motion by Mr. McDuffie, and by unanimous consent,

Ordered, That the fortieth rule of the Senate be suspended so far as to admit a reporter for the purpose of reporting a speech about to be made by Mr. McDuffie in executive session.

On motion by Mr. McDuffie,
The Senate proceeded to consider the three resolutions submitted
by Mr. Benton on the 13th instant; and,
After debate,

On motion by Mr. Jarnagin,

Ordered, That the resolutions lie on the table.

FRIDAY, MAY 24, 1844.

Mr. Jarnagin submitted the following resolution:

Resolved, That the injunction of secrecy be, and hereby is, removed from the President's message transmitted to the Senate on yesterday, 23d instant, in reference to a call upon the Secretary of the Treasury by the Senate in executive session, and also from the papers and documents accompanying said message.

The Senate, by unanimous consent, proceeded to consider the resolution, and agreed thereto.

On motion by Mr. Evans,

The Senate proceeded to consider the three resolutions submitted
by Mr. Benton on the 13th instant; and,

After debate,

On motion by Mr. Sevier,

Ordered, That the resolutions be postponed to and made the order of the day for Thursday next.

On motion by Mr. Lewis,

The Senate proceeded to consider the resolution submitted by him
on the 17th instant.

On motion by Mr. Sevier, the resolution was amended by striking out the word "printed" and inserting the word *lithographed* in lieu thereof, and by adding at the end *to be of half the size of that sent, provided the cost does not exceed two hundred dollars.*

On the question to agree to the resolution as amended,

It was determined in the affirmative	{ Yeas-----	19
	{ Nays-----	17

On motion by Mr. Sevier,

The yeas and nays being desired by one-fifth of the Senators present.

Those who voted in the affirmative are:

Messrs. Allen, Atchison, Atherton, Benton, Breese, Buchanan, Fairfield, Francis, Fulton, Henderson, Lewis, McDuffie, Mangum, Niles, Rives, Sevier, Tallmadge, White, Woodbury.

Those who voted in the negative are:

Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Dayton, Evans, Huntington, Jarnagin, Miller, Morehead, Pearce, Porter, Simmons, Tapan, Woodbridge.

So it was

Resolved, That one thousand copies of the map of Texas lately sent by the Executive to the Senate, be lithographed, for the use of the Senate, to be of half the size of that sent, provided the cost does not exceed two hundred dollars.

TUESDAY, MAY 28, 1844.

Mr. Benton submitted the following resolution:

Resolved, That the President be requested to communicate to the Senate the whole of the "private letter" from London with its date, quoted by the Ameri-

can Secretary of State in his letter of the 9th of August, 1843, to the United States chargé in Texas, so far as the same applies to Texas, and all other letters from the same person relative to the annexation of Texas to the United States; also that the President be requested to inform the Senate of the name of the writer of said "private letter" and whether the said writer was employed by the Government of the United States in Europe, and if so, a copy of the instructions under which he acted or of the letters or papers which accredited him, the character in which he acted, by whom appointed, the amount of money which he received, and out of what fund it was paid.

The Senate, by unanimous consent, proceeded to consider the resolution, and agreed thereto.

On motion by Mr. Jarnagin,

Ordered, That the message received from the President the 23d instant, and the documents communicated therewith, from which the injunction of secrecy was removed on the 24th instant, be printed for the use of the Senate.

Mr. Benton submitted the following resolution:

Resolved, That the President of the United States be requested to communicate to the Senate a copy of the instructions given in 1829 by President Jackson, through the Secretary of State, to the United States minister in Mexico, to procure the retrocession or to purchase the then province of Texas and other territory between the Red River and Arkansas, ceded to Spain by the treaty of 1819.

The Senate, by unanimous consent, proceeded to consider the resolution, and agreed thereto.

SATURDAY, JUNE 1, 1844.

To the Senate of the United States:

In answer to the resolution of the Senate of the 22d instant, requesting information in regard to any promise by the President of military or other aid to Texas in the event of an agreement on the part of that Republic to annex herself to the United States, I transmit a report from the Secretary of State, and the documents by which it was accompanied.

In my message to the Senate of the 15th of this month I adverted to the duty which, in my judgment, the signature of the treaty for the annexation of Texas had imposed upon me to repel any invasion of that country by a foreign power while the treaty was under consideration by the Senate; and I transmitted reports from the Secretaries of War and of the Navy, with a copy of the orders which had been issued from those Departments for the purpose of enabling me to execute that duty. In those orders General Taylor was directed to communicate directly with the President of Texas upon the subject, and Captain Conner was instructed to communicate with the chargé d'affaires of the United States accredited to that Government. No copy of any communication which either of those officers may have made pursuant to those orders have yet been received at the Departments from which they emanated.

JOHN TYLER.

WASHINGTON, 31st May, 1844.

The messages were read.

Mr. Benton submitted the following resolution:

Resolved, That the message received this day from the President of the United States in answer to the resolution of the Senate of the 22d May last, together with the documents communicated therewith, be printed; that the injunction of secrecy be removed therefrom, and that twenty thousand copies thereof be furnished for the use of the Senate.

The Senate, by unanimous consent, proceeded to consider the resolution.

On motion of Mr. McDuffie to amend the resolution by adding thereto to following: *Together with all other communications from the Executive to the Senate upon the subject of the treaty with Texas,*

and the documents accompanying said communications, which have not been heretofore published,

It was determined in the negative, { Yeas ----- 14
Nays ----- 32

On motion of Mr. Buchanan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Breese, Buchanan, Colquitt, Fulton, Haywood, Huger, Lewis, McDuffie, Semple, Sevier, Sturgeon, White, Woodbury.

Those who voted in the negative are,

Messrs. Allen, Archer, Barrow, Bates, Bayard, Benton, Berrien, Choate, Crittenden, Dayton, Evans, Fairfield, Francis, Hannegan, Henderson, Huntington, Jarnagin, Johnson, Mangum, Merrick, Miller, Morehead, Niles, Phelps, Porter, Rives, Simmons, Tallmadge, Tappan, Upham, Woodbridge, Wright.

So the proposed amendment was rejected.

On the question to agree to the resolution,

It was determined in the affirmative, { Yeas ----- 26
Nays ----- 17

On motion by Mr. Buchanan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Barrow, Bates, Bayard, Benton, Choate, Crittenden, Dayton, Evans, Francis, Huntington, Jarnagin, Johnson, Mangum, Merrick, Miller, Morehead, Niles, Phelps, Porter, Simmons, Tappan, White, Woodbridge, Wright.

Those who voted in the negative are,

Messrs. Archer, Berrien, Breese, Buchanan, Colquitt, Fulton, Hannegan, Haywood, Henderson, Lewis, McDuffie, Rives, Semple, Sevier, Sturgeon, Tallmadge, Woodbury.

So the resolution submitted by Mr. Benton was agreed to.

Mr. Bayard submitted the following resolution:

Resolved, That the resolution of the 24th May for lithographing the map of Texas received from the Department of State be, and the same is hereby, rescinded; and that the map be returned to the Department of State for correction.

MONDAY, JUNE 3, 1844.

To the Senate of the United States:

I transmit herewith to the Senate a copy of a letter, dated the 25th of August, 1829, addressed by Mr. Van Buren, Secretary of State, to Mr. Polinsett, envoy extraordinary and minister plenipotentiary of the United States to Mexico, which letter contains, it is presumed, the instructions a copy of which was requested by the resolution of the Senate of the 28th ult. in executive session.

JOHN TYLER.

WASHINGTON, 1st June, 1844.

To the Senate of the United States:

In answer to the resolution of the Senate of the 28th ult. upon the subject of a "private letter" quoted in the instruction from the late Mr. Upshur to the chargé d'affaires of the United States in Texas, dated the 8th of August last, I transmit a report from the Secretary of State, to whom the resolution was referred.

JOHN TYLER.

WASHINGTON, 3d June, 1844.

SATURDAY, JUNE 8, 1844.

On motion by Mr. Woodbury,

The Senate proceeded to consider the treaty of annexation concluded between the United States of America and the Republic of Texas at Washington the 12th day of April, 1844.

Mr. Rives submitted the following resolution:

Resolved, That the treaty for the annexation of Texas be ordered to lie on the table, and that the President be advised to cause an additional article to be negotiated, extending the period within which the treaty is to be ratified and the ratifications exchanged, so as to give further time for a full and deliberate expression of the opinion of the people of the United States on the subject, and also for a reasonable and amicable effort to obtain the concurrence of Mexico in a conventional arrangement for ascertaining and establishing the boundaries which separate her adjacent territories, to the west and the north, from those of Texas.

On motion by Mr. Tallmadge to amend the resolution by adding the following:

Resolved, That in adjusting such boundaries the President be advised to endeavor to obtain the assent of Mexico to the cession of the territory lying west of Texas, and north of the thirty-seventh degree of north latitude, and extending to the Pacific Ocean, upon such terms as shall be consistent with the honor and dignity of Mexico and the United States, and the friendly relations subsisting between the two Governments.

On motion by Mr. Woodbridge,

Ordered, That the resolution, with the proposed amendment, lie on the table.

Mr. Henderson submitted the following resolutions:

1. *Resolved*, That to accomplish the annexation of Texas, as proposed by the pending treaty, is less consonant with the spirit and genius of the Government of the United States and Texas, respectively, than if more directly deferred to the popular or representative will to attain the object.

2. *Resolved*, That such annexation on the part of the United States would be properly achieved by an act of Congress admitting the people of Texas with an assigned territorial boundary as a new State into the Union, on an equal footing with the other States; with the right of property to be retained by such new State in all the public lands now comprised in the territorial domain of Texas, subjecting such territory as might lie without the State of Texas to the civil and political jurisdiction of the United States.

3. *Resolved*, That as part of said act of union and in form of stipulation to be acceded to by the people of Texas, a boundary of limits should be fixed and agreed on, beyond which the institution of slavery should not extend.

4. *Resolved*, That by such act of annexation the people and State of Texas should continue responsible for the subsisting debt of Texas, and for the security and discharge thereof her public lands should be first pledged; and that all private titles and claims to land within the present territory of Texas should be adjusted and decided on by the tribunals of the State of Texas.

On motion by Mr. Woodbridge,

Ordered, That these resolutions lie on the table.

No amendment having been proposed to the treaty, it was reported to the Senate.

Mr. Walker submitted the following resolution:

Resolved, (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty of annexation concluded between the United States of America and the Republic of Texas, at Washington, the 12th day of April, 1844.

The Senate, by unanimous consent, proceeded to consider the resolution.

On the question to agree thereto,

It was determined in the negative,	{ Yeas-----	16
	{ Nays-----	35

Those who voted in the affirmative are,

Messrs. Atchinson, Bagby, Breese, Buchanan, Colquitt, Fulton, Haywood, Henderson, Huger, Lewis, McDuffie, Semple, Sevier, Sturgeon, Walker, Woodbury.

Those who voted in the negative are,

Messrs. Allen, Archer, Atherton, Barrow, Bates, Bayard, Benton, Berrien, Choate, Clayton, Crittenden, Dayton, Evans, Fairfield, Foster, Francis, Huntington, Jarnagin, Johnson, Mangum, Merrick, Miller, Morehead, Niles, Pearce, Phelps, Porter, Rives, Simmons, Tallmadge, Tappan, Upham, White, Woodbridge, Wright.

So, two-thirds of the Senators present not having voted in the affirmative, it was

Resolved, That the Senate do not advise and consent to the ratification of the treaty of annexation concluded between the United States of America and the Republic of Texas, at Washington, the 12th day of April, 1844.

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr. Crittenden that the injunction of secrecy be removed from the proceedings of the Senate on the treaty of annexation with Texas,

On motion by Mr. Sevier to amend the same by adding thereto the following words: *And from all communications received from the Executive upon the subject*,

It was determined in the negative.

On the question to agree to the motion of Mr. Crittenden,

It was determined in the affirmative.

So it was

Ordered, That the injunction of secrecy be removed from the proceedings of the Senate on the treaty of annexation with Texas.

Mr. Benton submitted the following resolution:

Resolved, That the Secretary of the Senate have the superficial content of Texas calculated on the map furnished by the Topographical Bureau, so as to show—

1. The whole extent, in square miles and in acres, of the Republic of Texas, as bounded on said map.

2. The number of square miles and acres in Texas, as bounded by the middle of the prairie west of the Nueces and along the highlands and mountain heights at the heads of the Red River and Arkansas to north latitude forty-two.

3. The number of square miles and acres in each of the four following divisions of Texas, as last bounded: First, the oblong square (nearly) which lies above the Arkansas, assuming it to be in thirty-eight degrees of north latitude and south of forty-two; second, the square (nearly) which lies between the Red River and the Arkansas, assuming the—to be along the thirty-eighth and the—along the thirty-fourth degree of north latitude; third, the triangle (nearly) which lies below thirty-four degrees and west of the prolongation south of the east line of the above-mentioned square; fourth, the square (nearly) which lies east of that prolonged line. And have all the said quantities marked on the map.

The Senate, by unanimous consent, proceeded to consider the resolution, and agreed thereto.

CONVENTION BETWEEN THE UNITED STATES AND PRUSSIA, TOGETHER WITH CERTAIN OTHER GERMAN STATES, FOR THE MUTUAL EXTRADITION OF CRIMINALS, SIGNED AT BERLIN, JANUARY 29, 1845.

THURSDAY, DECEMBER 18, 1845.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

[Confidential.]

To the Senate of the United States:

I herewith communicate to the Senate, for its consideration, a convention concluded and signed at Berlin on the 29th day of January, 1845, between the United States and Prussia, together with certain other German States, for the mutual extradition of fugitives from justice in certain cases; and I communicate with the convention the correspondence necessary to explain it.

In submitting this convention to the Senate, I deem it proper to call their attention to the third article, by which it is stipulated that "none of the contracting parties shall be bound to deliver up its own citizens or subjects under the stipulations of this convention."

No such reservation is to be found in our treaties of extradition with Great Britain and France, the only two nations with whom we have concluded such treaties. These provide for the surrender of all persons who are fugitives from justice without regard to the country to which they may belong. Under this article if German subjects of any of the parties to the convention should commit crimes within the United States and fly back to their native country from justice they would not be surrendered. This is clear in regard to all such Germans as shall not have been naturalized under our laws. But even after naturalization difficult and embarrassing questions might arise between the parties. These German powers, holding the doctrine of perpetual allegiance, might refuse to surrender German naturalized citizens, whilst we must ever maintain the principle that the rights and duties of such citizens are the same as if they had been born in the United States.

I would also observe that the 4th article of the treaty submitted contains a provision not to be found in our conventions with Great Britain and France.

JAMES K. POLK.

WASHINGTON, December 16, 1845.

The messages were read. * * *

The convention for the mutual delivery of criminals fugitive from justice in certain cases, concluded between the United States, on the one part, and Prussia and the other states of the Germanic Confederation, on the other part, at Berlin, the 29th January, 1845, was read the first and second times, by unanimous consent.

Ordered, That the convention, with the message and documents, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

TUESDAY, DECEMBER 22, 1846.

On motion by Mr. Sevier,

Ordered, That the following conventions and treaty, not heretofore definitively acted upon by the Senate, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate: * * *

Convention for the mutual delivery of criminals, fugitives from justice, in certain cases, concluded between the United States, on the one part, and Prussia and other States of the Germanic Confederation, on the other part, concluded the 29th day of January, 1845; * * *

MONDAY, JANUARY 3, 1848.

On motion by Mr. Sevier,

Ordered, That the following convention and treaty, not heretofore definitely acted upon by the Senate, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate:

Convention for the mutual delivery of criminals fugitive from justice in certain cases, concluded between the United States, on the one part, and Prussia and other states of the Germanic Confederation, on the other part, concluded the 29th day of January, 1845.

WEDNESDAY, FEBRUARY 16, 1848.

Mr. Sevier, from the Committee on Foreign Relations, to whom was referred, the 3d January last, the convention for the mutual delivery of criminals, fugitive from justice in certain cases, concluded between the United States, on the one part, and Prussia and other states of the Germanic Confederation, on the other part, at Berlin, the 29th January, 1845, reported the same with an amendment; which was read.

WEDNESDAY, JUNE 21, 1848.

On motion by Mr. Mangum,

The Senate, as in Committee of the Whole, proceeded to consider the convention for the mutual delivery of criminals, fugitive from justice, in certain cases, concluded between the United States on the one part, and Prussia and the other states of the Germanic Confederation on the other part, at Berlin, the 29th January, 1845, together with the amendment reported thereto, to wit:

Article 6. Strike out the word "fifteen" and insert *forty-four*.

The question was stated, Shall the word "fifteen" stand as part of the sixth article?

And it was determined in the negative, nays 38.

Those who voted are,

Messrs. Allen, Atherton, Badger, Baldwin, Bell, Benton, Berrien, Borland, Bradbury, Breese, Bright, Calhoun, Clarke, Corwin, Davis of Massachusetts, Davis of Mississippi, Dickinson, Dix, Felch, Foote, Greene, Hale, Hamlin, Houston, Johnson of Maryland, Johnson of Louisiana, Mangum, Mason, Miller, Niles, Rusk, Sebastian, Spruance, Turney, Underwood, Upham, Westcott, Yulee.

So the word "fifteen" was stricken out of the 6th article.

The question was then stated, Shall the word *Forty-four* stand as part of the sixth article in lieu of the word "fifteen"?

It was determined in the affirmative, yeas 31.

Those who voted are,

Messrs. Atherton, Badger, Baldwin, Berrien, Borland, Bradbury, Breese, Calhoun, Corwin, Davis of Massachusetts, Davis of Mississippi, Dickinson, Dix, Felch, Fitzgerald, Greene, Hamlin, Johnson of Maryland, Johnson of Louisiana, Lewis, Mangum, Mason, Miller, Niles, Rusk, Sebastian, Spruance, Turney, Underwood, Upham.

So the amendment was adopted; and no further amendment being made, the convention as amended was reported to the Senate and the amendment was unanimously concurred in.

Mr. Mangum submitted the following resolution :

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the convention for the mutual delivery of criminals, fugitive from justice, in certain cases, concluded between the United States, on the one part, and Prussia and other states of the Germanic Confederation, on the other part, at Berlin, the 29th January, 1845, with the following amendment :

Article 6. Strike out the word "fifteen," and insert *forty-four*.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined in the affirmative, yeas 36.

Those who voted are Messrs. Allen, Atherton, Badger, Baldwin, Bell, Berrien, Borland, Bradbury, Butler, Calhoun, Clarke, Corwin, Davis of Massachusetts, Davis of Mississippi, Dickinson, Dix, Downs, Felch, Greene, Hamlin, Houston, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Miller, Niles, Rusk, Sebastian, Spruance, Sturgeon, Turney, Underwood, Upham.

Ordered, That the Secretary lay the said resolution before the President of the United States.

* * * * *
FRIDAY, JULY 28, 1848.

The following messages were received from the President of the United States by Mr. Walker, his secretary :

To the Senate of the United States:

I have received from the Senate the "convention for the mutual delivery of criminals, fugitives from justice, in certain cases, concluded on the 29th of January, 1845, between the United States, on the one part, and Prussia and other states of the German Confederation, on the other part," with a copy of their resolution of the 21st of June last, advising and consenting to its ratification, with an amendment extending the period for the exchange of ratifications until the 28th of September, 1848.

I have taken this subject into serious and deliberate consideration, and regret that I can not ratify this convention, in conformity with the advice of the Senate, without violating my convictions of duty. Having arrived at this conclusion, I deem it proper and respectful, considering the peculiar circumstances of the present case and the intimate relations which the Constitution has established between the President and Senate, to make known to you the reasons which influence me to come to this determination.

On the 16th of December, 1845, I communicated this convention to the Senate for its consideration, at the same time stating my objections to the third article. I deemed this to be a more proper and respectful course toward the Senate, as well as toward Prussia and the other parties to it, than if I had withheld it and disapproved it altogether. Had the Senate concurred with me in opinion and rejected the third article, then the convention thus amended would have conformed to our treaties of extradition with Great Britain and France.

But the Senate did not act upon it within the period limited for the exchange of ratifications. From this I concluded that they had concurred with me in opinion in regard to the third article and had, for this and other reasons, deemed it proper to take no proceedings upon the convention. After this date, therefore, I considered the affair as terminated.

Upon the presumption that this was the fact, new negotiations upon the subject were commenced, and several conferences were held between the Secretary of State and the Prussian minister. These resulted in a protocol signed at the Department of State on the 27th of April, 1847, in which the Secretary proposed either that the two Governments might agree to extend the time for the exchange of ratifications and thus revive the convention, provided the Prussian Government would previously intimate its consent to the omission of the third article, or he "expressed his willingness immediately to conclude with Mr. Gerolt a new convention, if he possessed the requisite powers

from his Government, embracing all the provisions contained in that of the 29th January, 1845, with the exception of the third article. To this Mr. Gerolt observed that he had no powers to conclude such a convention, but would submit the propositions of Mr. Buchanan to the Prussian Government for further instructions."

Mr. Gerolt has never yet communicated in writing to the Department of State the answer of his Government to these propositions; but the Secretary of State, a few months after the date of the protocol, learned from him, in conversation, that they insisted upon the third article of the convention as a *sine qua non*. Thus the second negotiation had finally terminated by a disagreement between the parties, when more than a year afterwards, on the 21st June, 1848, the Senate took the original convention into consideration and ratified it, retaining the third article.

After the second negotiation with the Prussian Government, in which the objections to the third article were stated, as they had been previously in my message of the 16th December, 1845, a strong additional difficulty was interposed to the ratification of the convention; but I might overcome this difficulty if my objections to the third article had not grown stronger by further reflection. For a statement of them in detail I refer you to the accompanying memorandum prepared by the Secretary of State by my direction.

I can not believe that the sovereign States of this Union, whose administration of justice would be almost exclusively affected by such a convention, will ever be satisfied with a treaty of extradition under which if a German subject should commit murder or any other high crime in New York or New Orleans, and could succeed in escaping to his own country, he would thereby be protected from trial and punishment under the jurisdiction of our State laws which he had violated. It is true, as has been stated, that the German states, acting upon a principle springing from the doctrine of perpetual allegiance, still assert the jurisdiction of trying and punishing their subjects for crimes committed in the United States or any other portion of the world. It must, however, be manifest that individuals throughout our extended country would rarely, if ever, follow criminals to Germany, with the necessary testimony, for the purpose of prosecuting them to conviction before German courts for crimes committed in the United States.

On the other hand, the Constitution and laws of the United States, as well as of the several States, would render it impossible that crimes committed by our citizens in Germany could be tried and punished in any portion of this Union.

But if no other reason existed for withholding my ratification from this treaty, the great change which has recently occurred in the organization of the Government of the German states would be sufficient. By the last advices we learn that the German Parliament, at Frankfort, have already established a federal provisional executive for all the states of Germany; and have elected the Archduke John of Austria to be "Administrator of the Empire." One of the attributes of this executive is "to represent the Confederation in its relations with foreign nations, and to appoint diplomatic agents, ministers, and consuls." Indeed, our minister at Berlin has already suggested the propriety of his transfer to Frankfort. In case this convention with nineteen of the thirty-nine German states should be ratified, this could amount to nothing more than a proposition on the part of the Senate and President to these nineteen states who were originally parties to the convention to negotiate anew on the subject of extradition. In the meantime a central German Government has been provisionally established, which extinguishes the right of these separate parties to enter into negotiations with foreign Governments on subjects of several interest to the whole.

Admitting such a treaty as that which has been ratified by the Senate to be desirable, the obvious course would now be to negotiate with the General Government of Germany. A treaty concluded with it would embrace all the thirty-nine states of Germany, and its authority being coextensive with the Empire, fugitives from justice found in any of these states would be surrendered upon the requisition of our minister at Frankfort. This would be more convenient and effectual than to address such separate requisitions to each of the nineteen German states with which the convention was concluded.

I communicate herewith, for the information of the Senate, copies of a dispatch from our minister at Berlin, and a communication from our consul at Darmstadt.

JAMES K. POLK.

WASHINGTON, July 28, 1848.

On motion by Mr. Hannegan,

Ordered, That the message relating to the convention for the mutual delivery of criminals, fugitives from justice, in certain cases, concluded on the 29th of January, 1845, between the United States, on the one part, and Prussia and other states of the Germanic Confederation, on the other part, be referred to the Committee on Foreign Relations, and that the same, together with the documents communicated therewith, be printed in confidence for the use of the Senate.

CONVENTION WITH HESSE FOR THE MUTUAL ABOLITION OF THE DROIT D'AUBAINE, AND DUTIES ON EMIGRATION, CONCLUDED MAY 2, 1846.

THURSDAY, JUNE 11, 1846.

The following messages were received from the President of the United States, by Mr. Walker, his secretary: * * *

To the Senate of the United States:

I herewith communicate to the Senate for its consideration a convention signed on the 2d day of May, 1846, by the minister of the United States at Berlin, with the plenipotentiary of Hesse-Cassel, for the mutual abolition of the droit d'aubaine and duties on emigration between that German state and the United States. And I communicate, with the convention, an explanatory dispatch of the minister of the United States, dated on the same day of the present year, and numbered 284.

JAMES K. POLK.

WASHINGTON, June 6, 1846.

The messages were read.

The convention for the mutual abolition of the droit d'aubaine and duties on emigration between the United States of America and His Royal Highness the Prince Electoral Co-Regent of Hesse, concluded at Berlin the 2d day of May, 1846, was read for a first time.

On motion by Mr. Allen,

Ordered, That the convention, with the message and document communicated therewith, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

WEDNESDAY, JUNE 24, 1846.

Mr. McDuffie, from the Committee on Foreign Relations, to whom was referred, on the 11th instant, the convention for the mutual abolition of the droit d'aubaine and taxes on emigration between the United States and His Royal Highness the Prince Electoral Co-Regent of Hesse, reported.

TUESDAY, DECEMBER 22, 1846.

On motion by Mr. Sevier,

Ordered, That the following conventions and treaty, not heretofore definitely acted upon by the Senate, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate: * * *

Convention for the mutual abolition of the droit d'aubaine and taxes on emigration between the United States of America and His Royal Highness the Prince Electoral Co-Regent of Hesse concluded the 2d day of May, 1846.

TREATY WITH GREAT BRITAIN, 1846.

GREAT BRITAIN, BOUNDARY LINE BETWEEN THE BRITISH POSSESSIONS AND THE UNITED STATES.

[NOTE.—Northwestern Boundary Commission, 1857–1861: The Northwestern Boundary Commission was appointed under act of Aug. 11, 1856, to unite with similar officers to be appointed by the British Government for the purpose of establishing the boundary line between United States and British possessions west of the Rocky Mountains, in accordance with the treaty of June 15, 1846. The commissioners having failed to bring the matter to a successful termination, the Treaty of Washington, 1871, took up the matter and referred it to the Emperor of Germany for arbitration. * * *]

THURSDAY, FEBRUARY 21, 1861.

The following messages were received from the President of the United States, by Mr. Glossbrenner, his secretary:

To the Senate of the United States:

The treaty concluded between Great Britain and the United States on the 15th of June, 1846, provided in its first article that the line of boundary between the territories of Her Britannic Majesty and those of the United States, from the point on the 49th parallel of north latitude, up to which it had already been ascertained, should be continued westward along the said parallel "to the middle of the channel which separates the continent from Vancouver's Island, and thence southerly through the middle of said channel and of Fucas' Straits to the Pacific Ocean." When the commissioners appointed by the two Governments to mark the boundary line came to that point of it which is required to run southerly through the channel which divides the continent from Vancouver's Island they differed entirely in their opinions, not only concerning the true point of deflection from the 49th parallel, but also as to the channel intended to be designated in the treaty. After a long, continued, and very able discussion of the subject, which produced no result, they reported their disagreement to their respective Governments. Since that time the two Governments, through their ministers here and at London, have had a voluminous correspondence on the point in controversy, each sustaining the view of its own commissioner, and neither yielding in any degree to the claims of the other. In the mean time the unsettled condition of this affair has produced some serious local disturbances, and on one occasion at least has threatened to destroy the harmonious relations existing between Great Britain and the United States. The island of San Juan will fall to the United States if our construction of the treaty be right, while if the British interpretation be adopted it will be on their side of the line. That island is an important possession to this country and valuable for agricultural as well as military purposes. I am convinced that it is ours by the treaty, fairly and impartially construed. But argument has been exhausted on both sides without increasing the probability of final adjustment. On the contrary, each party seems now to be more convinced than at first of the justice of its own demands. There is but one mode left of settling the dispute, and that is by submitting it to the arbitration of some friendly and impartial power. Unless this be done the two countries are exposed to the constant danger of a collision which may end in war.

It is under these circumstances that the British Government, through its minister here, has proposed the reference of the matter in controversy to the King of Sweden and Norway, the King of the Netherlands, or to the Republic of the Swiss Confederation. Before accepting this proposition I have thought it right to take the advice of the Senate.

The precise questions which I submit are these. Will the Senate approve a treaty, referring to either of the sovereign powers above named, the dispute now existing between the Governments of the United States and Great Britain, concerning the boundary line between Vancouver's Island and the American continent? In case the referee shall find himself unable to decide where the line is by the description of it in the treaty of 15th June, 1846, shall he be authorized to establish a line according to the treaty, as nearly as possible?

Which of the three powers named by Great Britain as an arbiter shall be chosen by the United States?

All important papers bearing on the questions are herewith communicated in the originals. Their return to the Department of State is requested when the Senate shall have disposed of the subject.

JAMES BUCHANAN.

WASHINGTON, 21 Feb'y, 1861.

LIST OF ACCOMPANYING PAPERS.

Mr. Crampton to Mr. Marcy (see bound volume), 14th July, 1854.
 Mr. Marcy to Mr. Crampton, 22d July, 1854.
 Senate Executive Doc. No. 10, 1st sess., 36th Congress, page 4.
 Mr. Crampton to Mr. Marcy, 18th July, 1855. (See bound volume.)
 Mr. Crampton to Mr. Marcy, 9th Feb'y, 1856. (See bound volume.)
 Mr. Marcy to Mr. Crampton, 20th Feb'y, 1856.
 Same to Mr. Dalls, 11th Aug't, 1856.
 Same to same, 8th Oct'r, 1856.
 Mr. Dalls to Mr. Marcy, 1st Jan'y, 1857. (See bound volume).
 Mr. Cass to Mr. Dallas, 17th Jan'y, 1859.
 Mr. Campbell to Mr. Cass, 20th Jan'y, 1859.
 Mr. Dallas to Mr. Cass, 4th Feb'y, 1859.
 Same to same, 25th Feb'y, 1859.
 Lord Lyons to Mr. Cass, 12th May, 1859.
 Lord John Russell to Lord Lyons, 24th Aug't, 1859.
 Lord Lyons to Mr. Cass, 3d Sept'r, 1859.
 Same to same, 7th Sept'r, 1859.
 Same to same, 9th Sept'r, 1859.
 Mr. Cass to Mr. Dallas, 22d Sept'r, 1859.
 Mr. Cass to Mr. Dallas, 24th Sept'r, 1859.
 Lord Lyons to Mr. Cass, 1st Oct'r, 1859.
 Same to same, 10th Oct'r, 1859.
 Mr. Dallas to Mr. Cass, 14th Oct'r, 1859.
 Lord Lyons to same, 15th Oct'r, 1859.
 Mr. Cass to Mr. Dallas, 20th Oct'r, 1859.
 Same to Lord Lyons, 22d Oct'r, 1859.
 Lord Lyons to Mr. Cass, 24th Oct'r, 1859.
 Mr. Cass to Mr. Dallas, 24th Oct'r, 1859.
 Mr. Dallas to Mr. Cass, 11th Nov'r, 1859.
 Lord John Russell to Lord Lyons, 29th Nov'r, 1859.
 Mr. Dallas to Mr. Cass, 9th Dec'r, 1859.
 Lord John Russell to Lord Lyons, 16th Dec'r, 1859.
 Mr. Cass to Mr. Dallas, 4th Feb'y, 1860.
 Mr. Dallas to Mr. Cass, 2d March, 1860.
 Lord John Russell to Lord Lyons, 9th March, 1860.
 Mr. Dallas to Mr. Cass, 23d March, 1860.
 Same to same, 11th May, 1860.
 Lord Lyons to same, 25th May, 1860.
 Same to same, 6th June, 1860.
 Mr. Cass to Lord Lyons, 7th June, 1860.
 Same to same, 8th June, 1860.
 Lord Lyons to Mr. Cass, 8th June, 1860.
 Same to same, 9th June, 1860.
 Same to same, 14th June, 1860.
 Mr. Cass to Lord Lyons, 25th June, 1860.
 Mr. Irvine to Mr. Trescot, 17th Aug't, 1860.
 Mr. Trescot to Mr. Irvine, 18th Aug't, 1860.
 Mr. Cass to Lord Lyons, 8th Sept'r, 1860.
 Lord Lyons to Mr. Cass, 15th Nov'r, 1860.
 Mr. Cass to Lord Lyons, 26th Nov'r, 1860.
 Lord Lyons to Mr. Cass, 10th Dec'r, 1860.

The message was read.

On motion by Mr. Douglas,

Ordered, That the said message, together with the accompanying documents, be referred to the Committee on Foreign Relations.

WEDNESDAY, FEBRUARY 27, 1861.

On motion by Mr. Mason to shut the doors of the Senate,
The President directed the gallery to be cleared.

The gallery having been cleared and the doors shut,

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 21st inst., the message of the President of the United States relative to the boundaries between the United States and Great Britain, under the treaty of the 15th of June, 1846, submitted a report, accompanied with the following resolution, which was read:

Resolved, That, in the opinion of the Senate, the boundary in dispute between the Government of Great Britain and the United States should be referred to the arbitrament and final award of an umpire to be agreed on between the two Governments; that such umpire should, if practicable, determine said boundary as the same is prescribed in the treaty aforesaid; or, if that be not practicable, then that he be authorized to establish a boundary conforming as nearly as may be to that provided by said treaty; and that of the three powers referred to in the message of the President the Senate would indicate as such umpire the Republic of the Swiss Confederation.

Ordered, That the further consideration of the said resolution be postponed to to-morrow, and that the said resolution, together with the said report and the message of the President of the United States, be printed in confidence for the use of the Senate.

WEDNESDAY, MARCH 13, 1861.

On motion by Mr. Sumner,

The Senate proceeded to consider the report and resolution submitted February 27th by the Committee on Foreign Relations, to whom had been referred the message of the President of the United States of the 21st of February, relative to the boundary between the United States and Great Britain under the treaty of the 15th of June, 1846; and

On motion by Mr. Collamer,

Ordered, That the Secretary be directed to lay before the President of the United States a copy of the said message of the 21st of February, together with the accompanying original documents.

SATURDAY, MARCH 16, 1861.

The following messages were received from the President of the United States, by Mr. Nicolay, his secretary:

To the Senate:

The Senate has transmitted to me a copy of the message sent by my predecessor to that body on the 21st day of February last, proposing to take its advice on the subject of a proposition made by the British Government through its minister here, to refer the matter in controversy between that Government and the Government of the United States to the arbitrament of the King of Sweden and Norway, the King of the Netherlands, or the Republic of the Swiss Confederation.

In that message my predecessor stated that he wished to submit to the Senate the precise questions following, namely:

"Will the Senate approve a treaty referring to either of the sovereign powers above named the dispute now existing between the Governments of the United States and Great Britain concerning the boundary line between Vancouver's Island and the American continent? In case the referee shall find himself unable to decide where the line is by the description of it in the treaty of 15th June, 1846, shall he be authorized to establish a line according to the treaty as nearly as possible? Which of the three powers named by Great Britain as an arbiter shall be chosen by the United States?"

I find no reason to disapprove of the course of my predecessor in this important matter, but, on the contrary, I not only shall receive the advice of the Senate therein cheerfully, but I respectfully ask the Senate for their advice on the two questions before recited.

ABRAHAM LINCOLN.

WASHINGTON, 16th March, 1861.

The messages were read.

On motion by Mr. Sumner,

Ordered, That the message of the President submitting for the advice of the Senate questions relative to the settlement of the boundary under the treaty with Great Britain of the 15th of June, 1846, together with the accompanying documents, be referred to the Committee on Foreign Relations.

TUESDAY, MARCH 19, 1861.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 16th inst., the message of the President of the United States, submitting, for the advice of the Senate, questions relative to the settlement of the boundary under the treaty with Great Britain of the 15th of June, 1846, submitted a report with the following resolution:

Resolved, That in pursuance of the message of the President, of the 16th inst., the Senate advises a reference of the existing dispute between the Government of the United States and the Government of Great Britain, concerning the boundary line which separates Vancouver's Island and the American continent, to the arbitration of a friendly power, with authority to determine the line according to the provisions of the treaty of the 15th of June, 1846, but without authority to establish any line but that provided for in the treaty. That of the three powers named by Great Britain, the Senate advises that the Republic of Switzerland be chosen by the United States as arbiter.

FRIDAY, MARCH 22, 1861.

On motion by Mr. Lane,

The Senate proceeded to consider the resolution submitted by him, the 19th inst., relative to the settlement of the boundary question under the treaty with Great Britain of the 15th of June, 1846.

After debate,

On motion by Mr. Nesmith to postpone further consideration of the said resolution to the second Monday of December next, and that the original documents accompanying the President's message of the 16th inst. be printed in confidence for the use of the Senate,

On motion by Mr. Wilkinson,

The Senate adjourned.

WEDNESDAY, MARCH 27, 1861.

On motion by Mr. Collamer,

The Senate resumed the consideration of the resolution submitted by Mr. Sumner, the 19th inst., advising a reference of the existing dispute between the Governments of the United States and Great Britain, concerning the boundary line at Puget's Sound, to the arbitration of the Republic of Switzerland.

After debate

Ordered, That the further consideration of the said resolution be postponed to the 2d Monday of December next.

TREATY WITH MEXICO, 1848.

[Amended by Senate.]

TUESDAY, FEBRUARY 29, 1848.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

[Confidential.]

To the Senate of the United States:

In compliance with the resolution of the Senate, passed in "executive session" on yesterday, requesting the President "to communicate to the Senate in confidence the entire correspondence between Mr. Trist and the Mexican commissioners, from the time of his arrival in Mexico until the time of the negotiation of the treaty submitted to the Senate; and also the entire correspondence between Mr. Trist and the Secretary of State, in relation to his negotiations with the Mexican commissioners; also, all the correspondence between Gen. Scott and the Government, and between Gen. Scott and Mr. Trist, since the arrival of Mr. Trist in Mexico, which may be in the possession of the Government," I transmit herewith the correspondence called for. These documents are very voluminous, and presuming that the Senate desired them in reference to early action on the treaty with Mexico, submitted to the consideration of that body by my message of the 22d instant, the originals of several of the letters of Mr. Trist are herewith communicated, in order to save the time which would necessarily be required to make copies of them. These original letters it is requested may be returned when the Senate shall have no further use for them.

The letters of Mr. Trist to the Secretary of State, and especially such of them as bear date subsequent to the receipt by him of his letter of recall as commissioner, it will be perceived, contain much matter that is impertinent, irrelevant, and highly exceptionable. Four of these letters, bearing date, respectively, the 29th December, 1847, January 12, January 22, and January 25, 1848, have been received since the treaty was submitted to the Senate. In the latter, it is stated that the Mexican commissioners who signed the treaty derived "their full powers bearing date on the 30th December, 1847, from the President ad interim of the Republic (Gen. Anaya), constitutionally elected to that office in November by the sovereign constituent Congress" of Mexico. It is impossible that I can approve the conduct of Mr. Trist in disobeying the positive orders of his Government, contained in the letter recalling him, or do otherwise than condemn much of the matter with which he has chosen to encumber his voluminous correspondence. Though all of his acts, since his recall, might have been disavowed by his Government, yet Mexico can take no such exception. The treaty which the Mexican commissioners have negotiated with him, with a full knowledge on their part that he had been recalled from his mission, is binding on Mexico.

Looking at the actual condition of Mexico, and believing that if the present treaty be rejected the war will probably be continued, at great expense of life and treasure, for an indefinite period; and considering that the terms, with the exceptions mentioned in my message of the 22d instant, conformed substantially, so far as relates to the main question of boundary, to those authorized by me in April last, I considered it to be my solemn duty to the country, uninfluenced by the exceptionable conduct of Mr. Trist, to submit the treaty to the Senate, with a recommendation that it be ratified with the modifications suggested.

Nothing contained in the letters received from Mr. Trist since it was submitted to the Senate has changed my opinion on the subject.

The resolution also calls for "all the correspondence between General Scott and the Government since the arrival of Mr. Trist in Mexico." A portion of that correspondence, relating to Mr. Trist and his mission, accompanies this communication. The remainder of the "correspondence between General Scott and the Government" relates mainly if not exclusively to military operations. A part of it was communicated to Congress with my annual message, and the whole of it will be sent to the Senate if it shall be desired by that body.

As coming within the purview of the resolution, I also communicate copies of the letters of the Secretary of War to Major General Butler in reference to Mr. Trist's remaining at the headquarters of the Army in the assumed exercise of his powers of commissioner.

JAMES K. POLK.

WASHINGTON, *February 29, 1848.*

The message was read.

On motion by Mr. Houston,

Ordered, That the message and documents communicated therewith be printed in confidence for the use of the Senate.

The Senate proceeded to consider the resolution submitted by Mr. Webster the 28th instant; and after debate,

On motion by Mr. Johnson of Maryland,
The Senate adjourned.

WEDNESDAY, MARCH 1, 1848.

The treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic, concluded at Guadalupe Hidalgo on the 2d day of February, in the year 1848, was read the second time.

On motion by Mr. Sevier,

Ordered, That the Secretary withdraw from the printer the message and documents which were, on the 29th February, ordered to be printed in confidence for the use of the Senate.

On motion by Mr. Badger,

The Senate proceeded to reconsider the order for the printing of the message and documents received on the 29th February; and

On motion by Mr. Sevier,

Ordered, That the message with the accompanying documents, except those received from Nathaniel P. Trist, be printed in confidence for the use of the Senate; and that the latter be referred to the Committee on Foreign Relations.

Mr. Houston submitted the following resolution for consideration:

Resolved, That the reporter of the Senate be sworn to preserve inviolable secrecy regarding the proceedings and debates of the Senate, while the subject of the treaty with Mexico shall be under consideration in executive session; and that he be admitted into the Senate Chamber during the discussion of that subject with a view to report the debates under the injunction of secrecy, and subject to the future order of the Senate.

The Senate resumed the consideration of the resolution submitted by Mr. Webster, the 28th instant; and, after debate,

On motion by Mr. Johnson, of Maryland,
The Senate adjourned.

THURSDAY, MARCH 2, 1848.

Mr. Mangum, from the Committee on Foreign Relations, to whom was referred, on the 1st instant, the correspondence from Nathaniel P. Trist, received with the message of the 29th February, reported that the letter from N. P. Trist, of the 25th January, 1848, alone, be printed; but that the committee had examined all the letters and marked such parts, as, in their opinion, should be omitted in any order to print those letters.

On motion by Mr. Webster,

Ordered, That the correspondence of Nathaniel P. Trist, with the exception of such parts as have been marked for omission by the Committee on Foreign Relations be printed in confidence for the use of the Senate.

The Senate resumed the consideration of the resolution submitted by Mr. Webster, the 28th instant; and,

On motion by Mr. Mangum,

Ordered, That it lie on the table.

On motion by Mr. Houston,

The Senate proceeded to consider the resolution, submitted the 1st instant, to admit the reporter of debates in executive session; and,

On the question to agree thereto,

It was determined in the negative.

On motion by Mr. Sevier,

The Senate, as in Committee of the Whole, proceeded to consider the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic.

On motion by Mr. Sevier,

To strike out the tenth article of the treaty, a debate ensued.

On motion by Mr. Miller,

That the Senate adjourn,

It was determined in the negative,	{ Yeas-----	15
	{ Nays-----	30

On motion by Mr. Sevier,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Badger, Benton, Berrien, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Dayton, Greene, Mangum, Miller, Spruance, Underwood, Upham.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atchison, Atherton, Baldwin, Bradbury, Breeze, Bright, Butler, Cass, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hannegan, Houston, Hunter, Johnson of Maryland, Johnson of Georgia, Lewis, Mason, Moor, Niles, Sevier, Sturgeon, Turney, Yulee.

The question recurring on the motion of Mr. Sevier to strike out the tenth article of the treaty,

On motion, by Mr. Crittenden,

To divide the question, by striking out from the tenth article the words from "but" to "void," inclusive:

The question was stated, "Shall these words stand as part of the tenth article?" to wit:

But the grantees of lands in Texas, put in possession thereof, who, by reason of the circumstances of the country since the beginning of the troubles between Texas and the Mexican government, may have been prevented from fulfilling all the conditions of their grants, shall be under the obligation to fulfill the said conditions within the periods limited in the same respectively; such periods to be now counted from the date of the exchange of ratifications of this treaty; in default of which the said grants shall not be obligatory upon the State of Texas, in virtue of the stipulations contained in this article.

The foregoing stipulation in regard to grantees of land in Texas is extended to all grantees of land in the territories aforesaid elsewhere than in Texas, put

in possession under such grants; and, in default of the fulfillment of the conditions of any such grant within the new period, which, as is above stipulated, begins with the day of the exchange of ratifications of this treaty, the same shall be null and void.

And it was determined in the negative—nays 48.

Those who voted are,

Messrs. Allen, Ashley, Atherton, Badger, Baldwin, Bell, Benton, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cass, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Greene, Hale, Houston, Hunter, Johnson of Maryland, Johnson of Georgia, Lewis, Mangum, Mason, Miller, Moor, Niles, Pearce, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham, Westcott, Yulee.

On motion, by Mr. Mangum, further to divide the question by striking out the last sentence of the tenth article;

The question was stated, "Shall these words stand as part of the tenth article?" to wit:

The Mexican Government declares that no grant whatever of lands in Texas has been made since the second day of March, one thousand eight hundred and thirty-six, and that no grant whatever of lands in any of the territories aforesaid has been made since the thirteenth day of May, one thousand eight hundred and forty-six.

And it was determined in the negative, { Yeas----- 17
Nays----- 32

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Bell, Berrien, Butler, Clarke, Corwin, Crittenden, Dayton, Greene, Johnson of Maryland, Johnson of Georgia, Miller, Pearce, Spruance, Underwood, Upham.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atchison, Atherton, Benton, Bradbury, Breese, Bright, Calhoun, Cass, Davis of Massachusetts, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hale, Houston, Hunter, Lewis, Mangum, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Westcott, Yulee.

The question then recurring on striking out the remaining part of the tenth article,

On motion by Mr. Bell,

The Senate adjourned.

FRIDAY, MARCH 3, 1848.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic; and the question recurring on striking out the remaining part of the tenth article.

After debate,

The question was stated, "Shall these words stand as part of the treaty?" to wit:

All grants of land made by the Mexican Government, or by the competent authorities in territories previously appertaining to Mexico and remaining for the future within the limits of the United States, shall be respected as valid to the same extent that the same grants would be valid if the said territories had remained within the limits of Mexico.

And it was determined in the negative. { Yeas----- 19
Nays----- 33

Those who voted in the affirmative are,

Messrs. Ashley, Badger, Baldwin, Berrien, Butler, Clarke, Clayton, Corwin, Crittenden, Dayton, Greene, Hale, Johnson of Maryland, Johnson of Louisiana, Mangum, Miller, Pearce, Spruance, Upham.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Bagby, Bell, Benton, Bradbury, Breese, Bright, Calhoun, Cass, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hannegan, Houston, Hunter, Johnson of Georgia, Lewis, Mason, Moor, Niles, Phelps, Rusk, Sevier, Sturgeon, Turney, Underwood, Westcott, Yulee.

On motion by Mr. Breese,

To strike out of the eleventh article the following words, to wit :

Nor to provide such Indians with firearms or ammunition, by sale or otherwise.

After debate,

The question was stated, " Shall these words stand as part of the eleventh article? "

And it was determined in the negative, { Yeas----- 20
 { Nays----- 29

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Bell, Butler, Cass, Dickinson, Dix, Foote, Hale, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Sevier, Sturgeon, Turney.

Those who voted in the negative are,

Messrs. Allen, Atchison, Badger, Baldwin, Benton, Berrien, Bradbury, Breese, Bright, Calhoun, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Douglas, Downs, Felch, Hannegan, Houston, Hunter, Lewis, Niles, Phelps, Rusk, Spruance, Underwood, Webster, Westcott, Yulee.

On motion by Mr. Rusk,

To strike out of the eleventh article the following words, to wit :

And in the event of any person or persons captured within Mexican territory by Indians being carried into the territory of the United States, the Government of the latter engages and binds itself in the most solemn manner, so soon as it shall know of such captives being within its territory, and shall be able so to do, through the faithful exercise of its influence and power, to rescue them and return them to their country, or deliver them to the agent or representative of the Mexican Government. The Mexican authorities will as far as practicable, give to the Government of the United States notice of such captures; and its agent shall pay the expenses incurred in the maintenance and transmission of the rescued captives, who in the meantime shall be treated with the utmost hospitality by the American authorities at the place where they may be. But if the Government of the United States, before receiving such notice from Mexico, should obtain intelligence through any other channel of the existence of Mexican captives within its territory, it will proceed forthwith to effect their release and delivery to the Mexican agent, as above stipulated.

For the purpose of giving to these stipulations the fullest possible efficacy, thereby affording the security and redress demanded by their true spirit and intent, the Government of the United States will now and hereafter pass, without unnecessary delay, and always vigilantly enforce, such laws as the nature of the subject may require; and, finally, the sacredness of this obligation shall never be lost sight of by the said Government when providing for the removal of the Indians from any portion of the said territories or for its being settled by

citizens of the United States; but, on the contrary, special care shall then be taken not to place its Indian occupants under the necessity of seeking new homes, by committing those invasions which the United States have solemnly obliged themselves to restrain.

After debate,

The question was stated, "Shall these words stand as part of the eleventh article?"

And it was determined in the affirmative, { Yeas----- 39
Nays----- 12

Those who voted in the affirmative are,

Messrs. Ashley, Atchison, Atherton, Bagby, Baldwin, Bell, Bradbury, Breese, Bright, Butler, Calhoun, Cass, Crittenden, Davis of Massachusetts, Dayton, Dickinson, Dix, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Georgia, Mangum, Mason, Miller, Moore, Niles, Phelps, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham, Yulee.

Those who voted in the negative are,

Messrs. Allen, Badger, Benton, Berrien, Corwin, Davis of Mississippi, Douglas, Houston, Lewis, Rusk, Webster, Westcott.

On motion, by Mr. Douglas,

To strike out of the eleventh article the following words, to wit:

Considering that a great part of the territories which by the present treaty are to be comprehended for the future within the limits of the United States is now occupied by savage tribes, who will hereafter be under the exclusive control of the Government of the United States, and whose incursions within the territory of Mexico would be prejudicial in the extreme, it is solemnly agreed that all such incursions shall be forcibly restrained by the Government of the United States whensoever this may be necessary; and that when they can not be prevented they shall be punished by the said Government, and satisfaction for the same shall be exacted; all in the same way, and with equal diligence and energy, as if the same incursions were meditated or committed within its own territory against its own citizens.

After debate,

The question was stated, "Shall these words stand as part of the eleventh article?"

And it was determined in the affirmative, { Yeas----- 47
Nays----- 5

Those who voted in the affirmative are,

Messrs. Ashley, Atchison, Atherton, Badger, Bagby, Baldwin, Bell, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cass, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Dickinson, Dix, Downs, Felch, Foote, Greene, Hale, Hannegan, Houston, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles, Phelps, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham, Webster, Yulee.

Those who voted in the negative are,

Messrs. Allen, Benton, Douglas, Lewis, Westcott.

On motion by Mr. Sevier,

To strike out the additional and secret article of the treaty.

The question was stated, "Will the Senate advise and consent to the ratification of this article?"

And it was determined in the negative, { Yeas ----- 2
Nays ----- 48

Those who voted in the affirmative are,
Messrs. Baldwin and Johnson of Maryland.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atchison, Atherton, Badger, Bagby, Bell, Benton, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cass, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Greene, Hale, Hannegan, Houston, Hunter, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Moor, Niles, Phelps, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham, Webster, Westcott, Yulee.

On motion by Mr. Berrien,
The Senate adjourned.

SATURDAY, MARCH 4, 1848.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic.

On motion by Mr. Westcott,

To strike out of the fifteenth article the following words, to wit:
"To an amount not exceeding three and one quarter millions of dollars."

The question was stated, "Shall these words stand as part of the fifteenth article?"

And it was determined in the affirmative, { Yeas ----- 41
Nays ----- 9

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Baldwin, Bell, Benton, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cass, Clarke, Crittenden, Davis of Massachusetts, Dayton, Dickinson, Dix, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Georgia, Lewis, Mason, Miller, Moor, Niles, Pearce, Phelps, Sevier, Spruance, Sturgeon, Turney, Underwood, Yulee.

Those who voted in the negative are,

Messrs. Badger, Corwin, Davis of Mississippi, Houston, Johnson of Louisiana, Mangum, Rusk, Upham, Westcott.

On motion by Mr. Douglas,

To strike out of the fourth article the following words, to wit:

It is also agreed that if any Mexicans should now be held as captives by any savage tribe within the limits of the United States, as about to be established by the following article, the Government of the said United States will exact the release of such captives and cause them to be restored to their country.

After debate,

The question was stated, "Shall these words stand as part of the fourth article?"

And it was determined in the affirmative, { Yeas ----- 39
Nays ----- 10

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Badger, Bagby, Baldwin, Bell, Breese, Bright, Butler, Calhoun, Cass, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Dix, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Mangum, Mason, Miller, Moor, Niles, Pearce, Phelps, Sevier, Sturgeon, Turney, Underwood, Upham, Yulee.

Those who voted in the negative are,
Messrs. Allen, Benton, Clarke, Dickinson, Douglas, Houston, Johnson of Georgia, Lewis, Rusk, Westcott.

On motion of Mr. Davis, of Mississippi,
To strike out of the fifth article the following words, to wit:

And no change shall ever be made therein, except by the express and free consent of both nations, lawfully given by the general government of each, in conformity with its own constitution.

After debate,

The question was stated, "Shall these words stand as part of the fifth article?"

And it was determined in the affirmative, { Yeas----- 42
Nays----- 11

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Badger, Bagby, Baldwin, Bell, Berrien, Bradbury, Bright, Butler, Calhoun, Cass, Clarke, Corwin, Crittenden, Davis of Massachusetts, Dayton, Dix, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles, Pearce, Phelps, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham.

Those who voted in the negative are,

Messrs. Allen, Atchison, Benton, Breese, Davis of Mississippi, Dickinson, Douglas, Houston, Lewis, Westcott, Yulee.

On motion by Mr. Davis, of Mississippi,

To strike out of the twenty-second article the following words, to wit:

Upon the entrance of the armies of either nation into the territories of the other, women and children, ecclesiastics, scholars of every faculty, cultivators of the earth, merchants, artisans, manufacturers, and fishermen, unarmed and inhabiting unfortified towns, villages, or places, and in general all persons whose occupations are for the common subsistence and benefit of mankind, shall be allowed to continue their respective employments, unmolested in their persons. Nor shall their houses or goods be burnt or otherwise destroyed, nor their cattle taken, nor their fields wasted by the armed force into whose power, by the events of war, they may happen to fall; but if the necessity arise to take any thing from them for the use of such armed force, the same shall be paid for at an equitable price. All churches, hospitals, schools, colleges, libraries, and other establishments for charitable and beneficent purposes, shall be respected, and all persons connected with the same protected in the discharge of their duties and the pursuit of their vocations.

After debate,

The question was stated, "Shall these words stand as part of the twenty-second article?"

And it was determined in the affirmative, { Yeas----- 45
Nays----- 5

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Badger, Bagby, Baldwin, Bell, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cass, Clarke, Corwin, Davis of Massachusetts, Dayton, Dickinson, Dix, Douglas, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles, Pearce, Phelps, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham, Yulee.

Those who voted in the negative are,
Messrs. Benton, Davis of Mississippi, Houston, Lewis, Westcott.

On motion by Mr. Johnson of Maryland,
That the Senate adjourn.

It was determined in the negative, { Yeas----- 25
Nays----- 29

On motion by Mr. Sevier,
The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,
Messrs. Atchison, Badger, Bagby, Baldwin, Bell, Benton, Berrien, Clarke, Corwin, Crittenden, Davis of Massachusetts, Dayton, Greene, Johnson of Maryland, Johnson of Louisiana, Lewis, Miller, Pearce, Phelps, Rusk, Spruance, Underwood, Upham, Webster, Westcott.

Those who voted in the negative are,
Messrs. Allen, Ashley, Atherton, Bradbury, Breese, Bright, Butler, Calhoun, Cass, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hale, Hannegan, Houston, Hunter, Johnson of Georgia, Mangum, Mason, Moor, Niles, Sevier, Sturgeon, Turney, Yulee.

On motion by Mr. Davis of Mississippi,
To strike out of the fifth article the following words, to wit:

The mouth of the Rio Grande, otherwise called Rio Bravo del Norte, or opposite the mouth of its deepest branch, if it should have more than one branch emptying directly into the sea: from thence, up the middle of that river, following the deepest channel, where it has more than one, to the point where it strikes the southern boundary of New Mexico; thence, westwardly along the whole southern boundary of New Mexico (which runs north of the town called Passo) to its western termination; thence, northward along the western line of New Mexico until it intersects the first branch of the river Gila (or if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same; thence down the middle of the said branch and of the said river until it empties into the Rio Colorado; thence across the Rio Colorado, following the division line between Upper and Lower California to the Pacific Ocean.

The southern and western limits of New Mexico, mentioned in this article, are those laid down in the map, entitled "*map of the United Mexican States, as organized and defined by various acts of the Congress of said republic, and constructed according to the best authorities. Revised edition. Published at New York in 1847 by J. Disturnell.*" of which map a copy is added to this treaty, bearing the signatures and seals of the undersigned plenipotentiaries. And, in order to preclude all difficulty in tracing upon the ground the limit separating Upper from Lower California, it is agreed that the said limit shall consist of a straight line, drawn from the middle of the Rio Gila, where it unites with the Colorado, to a point on the coast of the Pacific Ocean, distant 1 marine league due south of the southernmost point of the port of San Diego, according to the plan of said port, made in the year seventeen hundred and eighty-two by Don Juan Pantoja, second sailing master of the Spanish fleet, and published at Madrid in the year 1802, in the atlas to the voyage of the schooners *Sutil* and *Mexicana*; of which plan a copy is hereunto added, signed, and sealed by the respective plenipotentiaries.

The question was stated, "Shall these words stand as part of the fifth article?"

On motion by Mr. Lewis,
That the Senate adjourn.

It was determined in the affirmative, { Yeas----- 27
Nays----- 19

On motion by Mr. Sevier,
The yeas and nays being desired by one-fifth of the Senators present.

Those who voted in the affirmative are,
Messrs. Atchison, Badger, Bagby, Baldwin, Bell, Benton, Berrien, Calhoun, Clarke, Corwin, Crittenden, Davis of Massachusetts, Dayton, Greene, Houston, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Miller, Pearce, Phelps, Rusk, Spruance, Underwood, Upham, Westcott.

Those who voted in the negative are,
Messrs. Ashley, Atherton, Bradbury, Breese, Bright, Butler, Cass, Dickinson, Douglas, Downs, Foote, Hannegan, Hunter, Mangum, Mason, Moor, Sevier, Turney, Yulee.

So the Senate adjourned.

MONDAY, MARCH 6, 1848.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic; and the question recurring on the motion of Mr. Davis of Mississippi to strike out the words stated from the fifth article,

On motion, by Mr. Davis of Mississippi, and by unanimous consent,

Ordered, That he have leave to withdraw the said motion.

On motion, by Mr. Davis of Mississippi to insert the following, to wit:

ARTICLE X. The boundary line between the two Republics shall commence in the Gulf of Mexico, three leagues from land, opposite a point midway between the mouths of the River San Fernando and Santander (Boquillas Cerradas and Barra de Santander), thence westwardly to the town of Labradores, at the head of the mountain pass, from the plain of Linares; thence to Agua Nueva; thence to the southwestern angle of the State of Coahuila thence northwardly along the highlands of the Balson de Malpimi and Santa Rosa Mountains to the Rio Grande, the line to be so traced as to include the sources of the river Sabinas, and to intersect the Rio Grande above the mouth of the River Puerco; thence up the main channel of said Rio Grande to the 31st parallel of north latitude; thence due west to the 34th meridian of longitude west of Washington; thence, in a direct line, to a point on the Rio Colorado of the west, 10 miles below the junction of the Gila and Colorado Rivers; thence to a point on the coast of the Pacific Ocean, one marine league south of the most southern point of the harbor of San Diego.

In order to designate the boundary line with due precision, upon authoritative maps, and to establish upon the ground landmarks which shall show the limits of both Republics, as described in the present article, the two governments shall each appoint a commissioner and a surveyor, who, before the expiration of one year from the date of the exchange of the ratifications of this treaty, shall meet at the port of San Diego, and proceed to run and mark the said boundary in its whole course to the mouth of the Rio Bravo del Norte. They shall keep journals and make out plans of their operations; and the result agreed upon by them shall be deemed a part of this treaty, and shall have the same force as if it were inserted therein. The two governments will amicably agree regarding what may be necessary to these persons, and also as to their respective escorts, should such be necessary.

After debate,

The question was stated, "Will the Senate advise and consent to the ratification of this article?"

And it was determined in the negative, { Yeas----- 11
 Nays----- 44

Those who voted in the affirmative are,
Messrs. Allen, Atchison, Davis of Mississippi, Dickinson, Douglas,
Hannegan, Houston, Lewis, Rusk, Turney, Westcott.

Those who voted in the negative are,
Messrs. Ashley, Atherton, Badger, Bagby, Baldwin, Bell, Benton,
Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass,
Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Day-
ton, Dix, Downs, Felch, Foote, Greene, Hale, Hunter, Johnson of
Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum,
Mason, Miller, Moore, Niles, Pearce, Phelps, Sevier, Spruance, Stur-
geon, Underwood, Upham, Webster.

On motion by Mr. Westcott,

To strike out of the ninth article the following words, to wit:

The relations and communication between the Catholics living in the terri-
tories aforesaid and their respective ecclesiastical authorities shall be open,
free, and exempt from all hindrance whatever, even although such authorities
should reside within the limits of the Mexican Republic, as defined by this
treaty; and this freedom shall continue so long as a new demarcation of eccle-
siastical districts shall not have been made, conformably with the laws of the
Roman Catholic Church.

After debate,

On motion by Mr. Atchison,

The Senate adjourned.

TUESDAY, MARCH 7, 1848.

The Senate, as in Committee of the Whole, resumed the consid-
eration of the treaty of peace, friendship, limits, and settlement
between the United States of America and the Mexican Republic;
and the question recurring on the motion of Mr. Westcott to strike
out the words stated from the ninth article,

On motion by Mr. Westcott, and by unanimous consent,

Ordered, That he have leave to withdraw the said motion.

On motion by Mr. Johnson of Georgia,

To insert in the ninth article, after the words "Mexican laws," the
following words, to wit: *not inconsistent with the Constitution and
laws of the United States.*

The question was stated, "Shall these words stand as part of the
ninth article?"

And it was determined in the affirmative, { Yeas----- 38
 { Nays----- 7

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atherton, Baldwin, Bell, Berrien, Breese,
Butler, Calhoun, Cameron, Clarke, Corwin, Crittenden, Davis of
Mississippi, Dayton, Dickinson, Dix, Felch, Foote, Greene, Hale,
Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of
Georgia, Mangum, Mason, Miller, Niles, Rusk, Sevier, Spruance,
Sturgeon, Turney, Underwood, Upham, Westcott, Yulee:

Those who voted in the negative are,

Messrs. Atchison, Badger, Bright, Davis of Massachusetts, Downs,
Lewis, Moor.

On motion of Mr. Johnson of Georgia,

To insert at the end of the ninth article the following, to wit:

*Provided nothing herein contained shall be so construed as to se-
cure to Roman Catholics their religious corporations or communities,*

or the ecclesiastical authorities of the Roman Catholic Church any other rights and privileges than such as are enjoyed by other religious sects, their corporations, or communities, or ecclesiastical authorities, in the United States.

The question was stated, "Shall these words stand as part of the ninth article?"

And it was determined in the negative, { Yeas----- 13
Nays----- 29

Those who voted in the affirmative are,

Messrs. Atchison, Bradbury, Breese, Calhoun, Hannegan, Johnson of Georgia, Lewis, Mason, Rusk, Sevier, Turney, Underwood, Westcott.

Those who voted in the negative are,

Messrs. Ashley, Atherton, Badger, Baldwin, Bell, Berrien, Bright, Butler, Clark, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Downs, Felch, Foote, Greene, Hale, Johnson of Maryland, Johnson of Louisiana, Mangum, Moor, Niles, Pearce, Phelps, Spruance, Sturgeon, Upham, Yulee.

On motion by Mr. Westcott,

To strike out of the ninth article the following words, to wit:

Finally, the relations and communication between the Catholics living in the territories aforesaid, and their respective ecclesiastical authorities, shall be open, free, and exempt from all hindrance whatever, even although such authorities should reside within the limits of the Mexican Republic as defined by this treaty; and this freedom shall continue so long as a new demarcation of ecclesiastical districts shall not have been made conformably with the laws of the Roman Catholic Church.

After debate,

The question was stated, "Shall these words stand as part of the ninth article?"

And it was determined in the negative, { Yeas----- 18
Nays----- 29

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bradbury, Butler, Cameron, Dickinson, Dix, Downs, Felch, Foote, Hale, Johnson of Louisiana, Moor, Niles, Sevier, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Atchison, Badger, Bell, Berrien, Bright, Calhoun, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Greene, Hunter, Johnson of Maryland, Johnson of Georgia, Lewis, Mangum, Mason, Miller, Pearce, Phelps, Rusk, Spruance, Underwood, Upham, Webster, Wescott.

On motion by Mr. Davis of Massachusetts,

To strike out of the ninth article the following words, to wit:

The Mexicans who in the territories aforesaid shall not preserve the character of citizens of the Mexican Republic conformably with what is stipulated in the preceding article shall be incorporated into the Union of the United States and admitted as soon as possible according to the principles of the Federal Constitution to the enjoyment of all the rights of citizens of the United States. In the meantime they shall be maintained and protected in the enjoyment of their liberty, their property, and the civil rights now vested in them according to the Mexican laws. With respect to political rights, their condition shall be on an equality with that of the inhabitants of the other territories of the United States and at least equally good as that of the inhabitants of Louisiana and the Floridas when these provinces by transfer from the French Republic and the Crown of Spain became territories of the United States.

The same most ample guaranty shall be enjoyed by all ecclesiastics and religious corporations or communities, as well in the discharge of the offices of their ministry as in the enjoyment of their property of every kind, whether individual or corporate. This guaranty shall embrace all temples, houses, and edifices dedicated to the Roman Catholic worship, as well as all property destined to its support, or to that of schools, hospitals, and other foundations for charitable or beneficent purposes. No property of this nature shall be considered as having become the property of the American Government, or as subject to be by it disposed of or diverted to other uses.

After debate,

The question was stated, "Shall these words stand as part of the ninth article?"

And it was determined in the negative, { Yeas ----- 16
Nays ----- 31

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Butler, Cameron, Dickinson, Dix, Downs, Felch, Foote, Johnson of Louisiana, Moor, Niles Sevier, Sturgeon, Turney, Westcott.

Those who voted in the negative are,

Messrs. Atchison, Badger, Baldwin, Bell, Berrien, Bradbury, Bright, Calhoun, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Greene, Hunter, Johnson of Maryland, Johnson of Georgia, Lewis, Mangum, Mason, Miller, Pearce, Phelps, Rusk, Spruance, Underwood, Upham, Webster, Yulee.

On motion by Mr. Mason,

To insert the following, to wit:

ARTICLE IX. The Mexicans in the territories aforesaid shall be secured in the free exercise of their religion without any restriction; and those who may desire to remove to the Mexican Republic shall be permitted to sell or export their effects at any time whatever without being subject in either case to the payment of any duties.

The Mexicans who, in the Territories aforesaid, shall not retain the character of Mexican citizens, conformably to the stipulations of the preceding article, shall be incorporated into the Union of the United States as soon as may be consistent with the principles of the Federal Constitution, and admitted to the enjoyment of all the privileges, rights, and immunities of the citizens of the United States; and, in the meantime, they shall be maintained and protected in the full enjoyment of their liberty and property.

After debate,

The question was stated "Will the Senate advise and consent to the ratification of this article?"

And it was determined in the affirmative, { Yeas ----- 42
Nays ----- 4

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Badger, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Dickinson, Dix, Downs, Felch, Foote, Greene, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Moor, Niles, Pearce, Sevier, Spruance, Sturgeon, Turney, Underwood, Yulee.

Those who voted in the negative are,

Messrs. Baldwin, Bell, Hale, Rusk.

On motion by Mr. Sevier,

To insert, after the word "Washington," in the twenty-third article, the following words, to wit:

Or at the seat of government of Mexico.

The question was stated, "Shall these words stand as part of the twenty-third article?"

And it was determined in the affirmative, { Yeas----- 44
Nay----- 1

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Badger, Baldwin, Bell, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Clarke, Clayton, Corwin, Davis of Mississippi, Dayton, Dickinson, Dix, Douglas, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Georgia, Lewis, Mangum, Mason, Miller, Moor, Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Yulee.

And Mr. Westcott voted in the negative.

Mr. Crittenden submitted the following resolutions:

Resolved, That the treaty be recommitted to the Committee on Foreign Relations, with instructions so to modify the same as to make its limits and boundaries conform to the following resolutions:

Resolved, That considerations of our own power and the weakness of Mexico, already vanquished by our arms, ought only to make us more careful not to exact from her any indemnities or terms of peace beyond the strict measure of our rightful claims; and that the United States need not to seek or desire any other or better security for the future than they possess in their own ability and readiness to protect themselves, and defend their own rights.

Resolved, That we fully concur in the sentiment expressed by the President, that war should not be waged for the acquisition of territory by conquest; yet, if it be agreeable to Mexico to settle our claims against her by a cession of territory, we should prefer one of more limited extent, with a correspondent reduction of price, than that described in the treaty now before the Senate—a cession which should have for its principal objects a satisfactory establishment of the boundary of Texas and the acquisition of the bay and harbor of San Francisco.

Resolved, That by adhering to this limited cession, all the objects of a true national policy would be obtained, domestic questions of great difficulty and embarrassment avoided, the true principles of our Government preserved, and a commendable example of justice and moderation set before the world.

Resolved, That in an especial manner, we could not, without great reluctance, be constrained to accept the cession of the State of New Mexico with a population of about one hundred and fifty thousand hostile people unwilling to be united to us, and unfit to be trusted with a participation in our free forms of government, to the principles of which they are utter strangers. To accept the cession of this territory, large enough, and even at the present moment with population enough, to form one or more States, and to incorporate them, as the treaty provides, as soon as possible into this Union, must be regarded as a measure dangerous, and not believed to be in accordance with the wishes and expectations of the great majority of the people of the United States.

On motion by Mr. Crittenden,

That the Senate proceed to consider the said resolutions.

Mr. Douglas objected, as being against the rules of the Senate.

The Vice President decided that, objection having been made, it could not be considered to-day.

From this decision of the Vice President Mr. Bright appealed to the Senate; and,

The question being stated, "Shall the decision of the Vice President stand as the sense of the Senate?"

It was determined in the negative.

The Senate then proceeded to consider the said resolutions;
And on the question to agree thereto,

It was determined in the negative,	{ Yeas-----	18
	{ Nays-----	30

On motion by Mr. Berrien,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Bell, Berrien, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Dayton, Greene, Hale, Johnson of Maryland, Mangum, Miller, Spruance, Underwood, Upham.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hannegan, Hunter, Johnson of Georgia, Lewis, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Yulee.

So the resolutions were not agreed to.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I lay before the Senate a letter of the 12th February, 1848, from N. P. Trist, together with the authenticated map of the United Mexican States, and of the plan of the port of San Diego, referred to in the fifth article of the treaty "of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic," which treaty was transmitted to the Senate with my message of the 22d ultimo.

JAMES K. POLK.

WASHINGTON, March 7, 1848.

The message was read.

On motion by Mr. Mangum,

The Senate adjourned.

WEDNESDAY, MARCH 8, 1848.

Mr. Davis of Massachusetts submitted the following resolution, which was considered, by unanimous consent, and agreed to:

Resolved, That the President be requested to communicate to the Senate, confidentially, any additional despatches which may have been received from Nathaniel P. Trist, and especially those which are promised by him in his letter to Mr. Buchanan, of the 2d of February last, if the same have been received.

Mr. Webster submitted the following resolution, which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to inform the Senate of the terms of the authority given to Nathaniel P. Trist to draw for the three millions of dollars authorized by the act of the 2d of March, 1847.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic.

On motion by Mr. Badger,

To strike out of the fifth article the following words, to wit:

Thence westwardly along the whole southern boundary of New Mexico (which runs north of the town called *Paso*, to its western termination; thence northward along the western line of New Mexico until it intersects the first branch

of the River Gila (or, if it should not intersect any branch of that river, then to the point on the said line nearest to such branch; and thence in a direct line to the same); thence down the middle of the said branch and of the said river until it empties into the Rio Colorado; thence across the Rio Colorado, following the division line between Upper and Lower California, to the Pacific Ocean.

After debate,

The question was stated, "Shall these words stand as part of the fifth article?"

And it was determined in the affirmative, { Yeas----- 35
Nays----- 15

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Bell, Benton, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Berrien, Clarke, Corwin, Davis of Massachusetts, Greene, Hale, Miller, Pearce, Phelps, Spruance, Underwood, Upham, Webster.

On motion by Mr. Baldwin,

To insert at the end of the fifth article the following words, to wit:

Provided, There shall be neither slavery nor involuntary servitude in the territories hereby ceded otherwise than in punishment of crimes whereof the party shall have been duly convicted.

After debate,

The question was stated, "Shall these words stand as part of the fifth article?"

And it was determined in the negative, { Yeas----- 15
Nays----- 38

Those who voted in the affirmative are,

Messrs. Atherton, Baldwin, Clarke, Clayton, Corwin, Davis of Massachusetts, Dayton, Dix, Greene, Hale, Miller, Niles, Phelps, Spruance, Upham.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atchison, Badger, Bagby, Bell, Benton, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Crittenden, Davis of Mississippi, Dickinson, Douglas, Downs, Felch, Foote, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Moor, Pearce, Rusk, Sevier, Sturgeon, Turney, Underwood, Yulee.

No further amendment having been made, the treaty was reported to the Senate.

On the question to concur in the amendment made in Committee of the Whole—to wit, to strike out the ninth article,

The question was stated, "Will the Senate advise and consent to the ratification of this article?"

And it was determined in the negative, { Yeas----- 16
Nays----- 28

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Dickinson, Dix, Douglas, Downs, Foote, Hannegan, Johnson of Louisiana, Moor, Niles, Sevier, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Atchison, Badger, Baldwin, Bell, Berrien, Bradbury, Bright, Calhoun, Clarke, Clayton, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Felch, Greene, Hale, Hunter, Johnson of Maryland, Lewis, Mangum, Mason, Miller, Phelps, Rusk, Spruance, Underwood, Upham.

On the question to concur in the amendment made in Committee of the Whole—to wit, to insert the following:

ARTICLE IX.—The Mexicans in the Territories aforesaid shall be secured in the free exercise of their religion, without any restriction; and those who may desire to remove to the Mexican Republic shall be permitted to sell or export their effects at any time whatever, without being subject, in either case, to the payment of any duties.

The Mexicans who, in the Territories aforesaid, shall not retain the character of Mexican citizens, conformably to the stipulations of the preceding article, shall be incorporated into the Union of the United States as soon as may be consistent with the principles of the Federal Constitution and admitted to the enjoyment of all the privileges, rights, and immunities of the citizens of the United States; and, in the meantime, they shall be maintained and protected in the full enjoyment of their liberty and property.

On motion by Mr. Bell,

To strike out of the said amendment the following words, to wit:

The Mexicans who, in the territories aforesaid, shall not retain the character of Mexican citizens, conformably to the stipulations of the preceding article, shall be incorporated into the Union of the United States, as soon as may be consistent with the principles of the Federal Constitution, and admitted to the enjoyment of all the privileges, rights, and immunities of the citizens of the United States; and, in the meantime, they shall be maintained and protected in the full enjoyment of their liberty and property;

After debate,

The question was stated, "Shall these words stand as part of the article?"

And it was determined in the negative, { Yeas----- 34
Nays----- 18

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Davis of Mississippi, Dickinson, Dix, Downs, Felch, Foote, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Bell, Berrien, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Dayton, Greene, Hale, Miller, Phelps, Spruance, Underwood, Upham, Webster.

On motion by Mr. Bell,

To insert, in lieu of the words stricken out, the following, to wit:

The Mexicans who, in the territories aforesaid, shall not retain the character of Mexican citizens, conformably to the stipulations of the preceding article, shall be maintained and protected in the full enjoyment of their liberty and their rights of property.

After debate,

The question was stated, "Shall these words stand as part of the article?"

And it was determined in the negative, { Yeas----- 15
Nays----- 33

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Bell, Berrien, Clarke, Clayton, Corwin, Davis of Massachusetts, Greene, Hale, Miller, Spruance, Underwood, Upham, Webster.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atherton, Bagby, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Westcott, Yulee.

On motion by Mr. Crittenden,

To strike out of said amendment the following words, to wit:

In the territories aforesaid, shall be secured in the free exercise of their religion, without any restriction; and those who may desire to remove to the Mexican Republic shall be permitted to sell or export their effects at any time whatever, without being subject in either case to the payment of any duties.

After debate,

The question was stated, "Shall these words stand as part of the article?"

And it was determined in the negative—nays 46.

Those who voted are,

Messrs. Allen, Ashley, Atherton, Badger, Bagby, Baldwin, Bell, Berrien, Breese, Bright, Butler, Calhoun, Cameron, Cass, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Dayton, Dickinson, Dix, Douglas, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Miller, Moor, Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Yulee.

On motion by Mr. Crittenden,

To insert the following after the words "the Mexicans," in the said amendment, to wit:

Who, in the territories aforesaid, shall not preserve the character of citizens of the Mexican Republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States, and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution, and in the meantime shall be maintained and protected in the free enjoyment of their liberty and property and secured in the free exercise of their religion, without restriction.

After debate,

The question was stated, "Shall these words stand as part of the article?"

And it was determined in the affirmative, { Yeas----- 44
Nays----- 5

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atherton, Bagby, Bell, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Clarke, Clayton, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton,

Dickinson, Dix, Douglas, Downs, Felch, Foote, Greene, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Miller, Moor, Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Yulee.

Those who voted in the native are,

Messrs. Badger, Baldwin, Corwin, Hale, Webster.

On the question to concur in the amendment made in Committee of the Whole—to wit, to strike out the tenth article:

The question was stated, "Will the Senate advise and consent to the ratification of this article?"

And it was determined in the negative—nays 41.

Those who voted are,

Messrs. Allen, Ashley, Atherton, Badger, Bagby, Bradbury, Breese, Bright, Butler, Calhoun, Cameros, Cass, Clayton, Corwin, Crittenden, Davis of Mississippi, Dayton, Dickinson, Dix, Douglas, Downs, Felch, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Moor, Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Webster, Westcott, Yulee.

On the question to concur in the amendment made in Committee of the Whole—to wit: To strike out of the eleventh article the following words:

Nor to provide such Indians with firearms or ammunition, by sale or otherwise.

The question was stated, "Shall these words stand as part of the eleventh article?"

And it was determined in the negative, { Yeas----- 28
Nays----- 17

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Bell, Bradbury, Bright, Butler, Cameron, Cass, Davis of Mississippi, Dickinson, Dix, Downs, Felch, Foote, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Moor, Niles, Sevier, Sturgeon, Turney, Webster, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Allen, Badger, Baldwin, Berrien, Calhoun, Clarke, Clayton, Crittenden, Dayton, Douglas, Hunter, Lewis, Miller, Rusk, Spruance, Underwood, Upham.

On motion by Mr. Webster,

That the Senate adjourn.

It was determined in the negative, { Yeas----- 26
Nays----- 26

On motion by Mr. Sevier,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Badger, Bagby, Baldwin, Bell, Berrien, Butler, Calhoun, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Greene, Hale, Lewis, Mangum, Miller, Phelps, Spruance, Underwood, Upham, Webster, Westcott.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atherton, Bradbury, Breese, Bright, Cameron, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hannegan,

Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Yulee.

The Senate being equally divided, the Vice President determined the question in the negative.

On the question to concur in the amendment made in Committee of the Whole—to wit: To insert after the word "Washington," in the twenty-third article, the following words:

Or at the seat of government of Mexico.

The question was stated, "Shall these words stand as part of the twenty-third article?"

And it was determined in the affirmative, { Yeas----- 38
Nays----- 1

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atherton, Badger, Bagby, Baldwin, Bell, Berrien, Breese, Bright, Butler, Calhoun, Cameron, Cass, Clarke, Dickinson, Dix, Douglas, Downs, Felch, Greene, Hale, Hunter, Johnson of Maryland, Johnson of Louisiana, Lewis, Mason, Moor, Niles, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham, Webster, Yulee.

And Mr. Westcott voted in the negative.

On the question to concur in the amendment made in Committee of the Whole, to wit: To strike out the additional and secret article of the treaty:

The question was stated, "Will the Senate advise and consent to the ratification of this article?"

And it was unanimously determined in the negative.

On motion by Mr. Berrien,

The Senate adjourned.

THURSDAY, MARCH 9, 1848.

The following messages were received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

In answer to the resolution of the Senate of this date, requesting the President to communicate to that body "confidentially, any additional despatches which may have been received from Mr. Trist, and especially those which are promised by him, in his letter to Mr. Buchanan of the 2d of February last, if the same have been received," I have to state that all the despatches which have been received from Mr. Trist have been heretofore communicated to the Senate.

JAMES K. POLK.

WASHINGTON, March 8, 1848.

To the Senate of the United States:

In answer to the resolution of the Senate of this date, requesting the President "to inform the Senate of the terms of the authority given to Mr. Trist to draw for the three millions of dollars authorized by the act of the 2d of March, 1847," I communicate herewith a report from the Secretary of State, with the accompanying documents, which contain the information called for.

JAMES K. POLK.

WASHINGTON, March 8, 1848.

The messages were read.

The Senate resumed the consideration of the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic.

On motion by Mr. Sevier,

To insert in the third article, after the word "republic," the following words, to wit:

And the ratifications exchanged.

The question was stated, "Shall these words stand as part of the article?"

And it was determined in the affirmative—yeas 48.*

Those who voted are,

Messrs. Allen, Ashley, Atherton, Badger, Bagby, Baldwin, Benton, Berrien, Bradbury, Bright, Butler, Calhoun, Cass, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Miller, Moor, Niles, Phelps, Rusk, Sevier, Spruance, Sturgeon, Turney, Underwood, Upham, Webster, Yulee.

On motion by Mr. Mangum,

To strike out of the fifteenth article the following words, to wit:

To an amount not exceeding three and one-quarter millions of dollars.

After debate,

The question was stated, "Shall these words stand as a part of this article?"

And it was determined in the affirmative, { Yeas ----- 40
Nays ----- 11

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atherton, Bagby, Baldwin, Bell, Benton, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Crittenden, Davis of Massachusetts, Dayton, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Georgia, Lewis, Mason, Miller, Moor, Niles, Phelps, Sevier, Spruance, Sturgeon, Turney, Underwood, Yulee.

Those who voted in the negative are,

Messrs. Badger, Berrien, Clarke, Clayton, Corwin, Davis of Mississippi, Greene, Johnson of Louisiana, Mangum, Rusk, Upham.

On motion by Mr. Davis, of Massachusetts,

To strike out the preamble of the treaty.

After debate,

The question was stated, "Shall the preamble stand as part of the treaty?"

And it was determined in the affirmative, { Yeas ----- 32
Nays ----- 16

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Berrien, Bradbury, Bright, Butler, Calhoun, Cass, Clarke, Dayton, Dickinson, Dix, Downs, Felch, Foote, Hale, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles, Phelps, Sevier, Spruance, Sturgeon, Underwood, Yulee.

Those who voted in the negative are,
Messrs. Allen, Atchison, Badger, Benton, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Douglas, Greene, Hannegan, Lewis, Rusk, Turney, Webster.

On motion by Mr. Davis of Mississippi,

To strike out of the twelfth article the following words, to wit:

Certificates in proper form for the said instalments, respectively, in such sums as shall be described by the Mexican Government, and transferable by it, shall be delivered to the said Government by that of the United States.

After debate,

The question was stated, "Shall these words stand as part of the article?"

And it was determined in the negative, { Yeas----- 34
Nays----- 19

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Bell, Bradbury, Breese, Butler, Calhoun, Cass, Clarke, Dayton, Dickinson, Dix, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles, Phelps, Sevier, Spruance, Sturgeon, Upham, Yulee.

Those who voted in the negative are.

Messrs. Allen, Atchison, Badger, Baldwin, Benton, Berrien, Bright, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Douglas, Lewis, Rusk, Turney, Underwood, Webster, Westcott.

On motion by Mr. Davis of Mississippi,

To strike out of the twelfth article the following words, to wit:

In the one or the other of the two modes below specified. The Mexican Government shall, at the time of ratifying this treaty, declare which of these two modes of payment it prefers; and the mode so elected by it shall be conforming to by that of the United States.

First mode of payment: Immediately after this treaty shall have been duly ratified by the Government of the Mexican Republic, the sum of three millions of dollars shall be paid to the said Government by that of the United States, at the city of Mexico, in the gold or silver coin of Mexico. For the remaining twelve millions of dollars, the United States shall create a stock, bearing an interest of six per centum per annum, commencing on the day of the ratification of this treaty by the Government of the Mexican Republic and payable annually at the city of Washington; the principal of said stock to be redeemable there, at the pleasure of the Government of the United States, at any time after two years from the exchange of ratifications of this treaty: six months' public notice of the intention to redeem the same being previously given. Certificates of such stock, in proper form, for such sums as shall be specified by the Mexican Government, and transferable by the said Government, shall be delivered to the same by that of the United States.

Second mode of payment.

After debate,

The question was stated, "Shall these words stand as part of the article?"

And it was determined in the negative, { Yeas----- 28
Nays----- 22

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Bell, Bradbury, Breese, Bright, Butler, Calhoun, Cass, Dickinson, Dix, Downs, Felch, Foote, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana,

Johnson of Georgia, Mason, Miller, Moor, Niles, Sevier, Sturgeon, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atchison, Badger, Baldwin, Benton, Berrien, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Douglas, Greene, Lewis, Rusk, Spruance, Turney, Underwood, Upham, Webster, Westcott.

On motion by Mr. Baldwin,

To insert at the end of the twelfth article the following words, to wit:

But no part of the sum of twelve millions of dollars stipulated in this article to be paid to the Mexican Republic in consideration of the cession to the United States, in sovereignty of territories heretofore pertaining to the governments of California and New Mexico, shall be deemed payable until the assent of the people and governments thereof, respectively, shall be freely given to such cession, and communicated to the President.

The question was stated, "Shall these words stand as part of this article?"

And it was determined in the negative, { Yeas ----- 17
Nays ----- 35

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Berrien, Clarke, Clayton, Corwin, Crittenden, Davis of Massachusetts, Dayton, Greene, Hale, Hannegan, Miller, Spruance, Underwood, Upham, Webster.

Those who voted in the negative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Bell, Benton, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Davis of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Foote, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Yulee.

On motion by Mr. Mangum,

To reconsider the vote by striking out the preamble of the treaty,

It was determined in the negative, { Yeas ----- 20
Nays ----- 29

On motion by Mr. Davis of Massachusetts,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Badger, Baldwin, Bell, Benton, Berrien, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Douglas, Greene, Hannegan, Lewis, Mangum, Spruance, Upham, Webster, Westcott.

Those who voted in the negative are,

Messrs. Ashley, Atchison, Atherton, Bagby, Bradbury, Bright, Butler, Calhoun, Cameron, Cass, Clarke, Dayton, Dickinson, Dix, Downs, Felch, Foote, Hale, Hunter, Johnson of Louisiana, Johnson of Georgia, Mason, Moor, Niles, Rusk, Sevier, Sturgeon, Underwood, Yulee.

On motion by Mr. Bright,

To reconsider the vote on the first motion of Mr. Davis of Mississippi to strike out the words stated from the twelfth article of the treaty,

It was determined in the affirmative.

And the question was again stated, "Shall these words stand as part of this article?"

And it was determined in the negative, { Yeas----- 30
Nays----- 18

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Bell, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Dayton, Dickinson, Dix, Downs, Felch, Foote, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Moor, Niles, Sevier, Sturgeon, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atchison, Badger, Baldwin, Benton, Berrien, Clayton, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Douglas, Lewis, Spruance, Underwood, Upham, Webster, Westcott.

Mr. Sevier submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic, concluded at Guadalupe Hidalgo, on the 2d day of February, in the year 1848, with the following amendments:

Insert in article three, after the words "Mexican Republic," where they first occur, the words:

And the ratifications exchanged.

Strike out the ninth article of the treaty, and insert the following in lieu thereof:

ARTICLE IX. The Mexicans who, in the territories aforesaid, shall not preserve the character of citizens of the Mexican Republic conformably with what is stipulated in the preceding article shall be incorporated into the Union of the United States, and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution; and in the meantime shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction.

Strike out the tenth article of the treaty.

Strike out of the eleventh article of the treaty the following words:

Nor to provide such Indians with firearms or ammunition, by sale or otherwise.

Strike out of the twelfth article of the treaty the following words:

In the one or the other of the two modes below specified. The Mexican Government shall, at the time of ratifying this treaty, declare which of these two modes of payment it prefers; and the mode so elected by it shall be conformed to by that of the United States.

First mode of payment: Immediately after this treaty shall have been duly ratified by the Government of the Mexican Republic, the sum of three millions of dollars shall be paid to the said Government by that of the United States, at the city of Mexico, in the gold or silver coin of Mexico. For the remaining twelve millions of dollars the United States shall create a stock, bearing an interest of six per centum per annum, commencing on the day of the ratification of this treaty by the Government of the Mexican Republic, and payable annually at the city of Washington; the principal of said stock to be redeemable there, at the pleasure of the Government of the United States, at any time after two years from the exchange of ratifications of this treaty; six months' public notice of the intention to redeem the same being previously given.

Certificates of such stock, in proper form, for such sums as shall be specified by the Mexican Government, and transferable by the said Government, shall be delivered to the same by that of the United States.

Second mode of payment: Certificates in proper form for the said instalments, respectively, in such sums as shall be desired by the Mexican Government, and transferable by it, shall be delivered to the said Government by that of the United States.

Insert in the twenty-third article, after the word "Washington," the following words:

Or at the seat of government of Mexico.

Strike out the additional and secret article of the treaty.

On motion by Mr. Badger,
The Senate adjourned.

FRIDAY, MARCH 10, 1848.

The Senate resumed the consideration of the treaty of peace, friendship, limits, and settlement between the United States of America and the Mexican Republic, together with the resolution submitted for the ratification of the same.

On motion by Mr. Johnson, of Maryland,

To amend the treaty by inserting in the resolution the following words, to wit:

Insert at the end of the twelfth article the following words: Certificates in proper form for the two first of said instalments, in such sums as shall be desired by the Mexican Government, and transferable by it, shall be delivered to the said Government by that of the United States.

After debate,

The question was stated, "Shall these words stand as part of the resolution?"

And it was determined in the negative, { Yeas----- 33
Nays----- 18

Those who voted in the affirmative are,

Messrs. Ashley, Atchison, Atherton, Bagby, Bell, Bradbury, Breese, Bright, Butler, Calhoun, Cameron, Cass, Dayton, Dickinson, Dix, Downs, Felch, Foote, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles, Sevier, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Allen, Badger, Baldwin, Benton, Berrien, Clarke, Corwin, Crittenden, Davis of Massachusetts, Davis of Mississippi, Douglas, Greene, Lewis, Spruance, Underwood, Upham, Webster, Westcott.

On motion by Mr. Cass,

To amend the resolution by inserting the following as a preamble thereto, to wit:

Whereas the President of the United States did, on the 15th day of April, 1847, commission Nicholas P. Trist, a citizen of the United States, to proceed to Mexico with a view of negotiating a treaty of peace with that republic, should an opportunity to effect such object be presented;

And whereas the President of the United States deemed it proper, on the 6th day of October, 1847, to recall the said Nicholas P. Trist from the said mission, which order of recall was disregarded by the said Nicholas P. Trist by his remaining at the city of Mexico after having received such order of recall;

And whereas the said Nicholas P. Trist did, on the 2d February, 1848, notwithstanding his recall by the President, enter into an engagement, purporting to be a treaty, with commissioners appointed by the President of the Mexican Republic;

And whereas the terms of the said agreement, with certain exceptions, as stated in the message of the President, of the 22d February, 1848, conform substantially to the instructions furnished to the said Nicholas P. Trist, as commissioner; and the President having adopted the said agreement as a treaty, and communicated the same to the Senate of the United States, with a view to its ratification;

Be it therefore;

After debate,

On the question, "Shall these words stand as part of the resolution?"

It was determined in the negative, { Yeas----- 26
Nays----- 23

Those who voted in the affirmative are,

Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Bell, Benton, Bradbury, Bright, Cameron, Cass, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Dickinson, Downs, Felch, Foote, Johnson, of Louisiana, Lewis, Mangum, Miller, Sevier, Sturgeon, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Berrien, Butler, Calhoun, Clarke, Corwin, Dix, Douglas, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Georgia, Mason, Moor, Niles, Rusk, Spruance, Underwood, Upham, Webster, Westcott.

On the question to agree to the resolution,

The question was stated, "Will the Senate advise and consent to the ratification of the treaty in the form of this resolution?"

And it was determined in the affirmative, { Yeas----- 38
Nays----- 14

Those who voted in the affirmative are,

Messrs. Ashley, Atherton, Bagby, Bell, Bradbury, Bright, Butler, Calhoun, Cameron, Cass, Clarke, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Dickinson, Dix, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Underwood, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atchison, Badger, Baldwin, Benton, Berrien, Breese, Corwin, Douglas, Lewis, Spruance, Upham, Webster, Westcott.

Ordered, That the Secretary lay the said resolution before the President of the United States.

TUESDAY, MARCH 14, 1848.

On motion by Mr. Dix,

Ordered, That the Secretary cause the printed pamphlet in the Spanish language, communicated with the message of the President of the 29th February, to be translated into English, and that both the original and the translation be printed in confidence for the use of the Senate.

Mr. Allen submitted the following resolution for consideration:

Resolved, That the injunction of secrecy be removed from the treaty between the United States and Mexico, the documents accompanying the same, and the proceedings of the Senate and debates thereon, and the documents sent to the Senate and ordered to be printed relating to the negotiation of said treaty; and also from the messages of the President of the 7th and 9th March, and documents communicated therewith.

The Senate, by unanimous consent, proceeded to consider the said resolution; and,

After debate,

On motion by Mr. Foote,

That the further consideration of the resolution be postponed until Tuesday, the 11th day of April next,

On motion by Mr. Mangum,

The Senate adjourned.

WEDNESDAY, MARCH 22, 1848

On motion by Mr. Hannegan,

Ordered, That the Secretary return to the President of the United States the original letters communicated to the Senate the 29th February, as requested in his message of that date, when the printing shall have been completed.

WEDNESDAY, MAY 31, 1848.

On motion by Mr. Allen,

The Senate proceeded to consider the resolution submitted by him the 14th March last, to remove the injunction of secrecy from the treaty with Mexico, the documents accompanying the same, and the proceedings of the Senate and debates thereon, and the documents sent to the Senate and ordered to be printed relating to the negotiations of said treaty; and also from the messages of the President of the 7th and 9th March, and documents communicated therewith; and agreed thereto.

On motion by Mr. Badger,

Ordered, That the treaty with Mexico, the messages, documents, proceedings, and other matter relating thereto, from which the injunction of secrecy has been removed, be printed for the use of the Senate.

FRIDAY, JUNE 2, 1848.

Mr. Mangum submitted the following resolution, which was considered, by unanimous consent, and agreed to:

Resolved, That the injunction of secrecy be removed from the message of the President of the 29th February, 1848, and from so much of the correspondence between the Executive Department and Mr. Trist, and other officers of the Government of Mexico, and the accompanying papers transmitted to the Senate therewith, as have been printed in confidence, and from the proceedings of the Senate thereon; and that the same be printed for the use of the Senate.

Attest:

ASBURY DICKINS, *Secretary*.

TREATY WITH MEXICO, 1859.

NOTE.—Treaty of Transits and Commerce with Mexico, Dec., 1859.

JANUARY 4, 1860. Read, and on motion by Mr. ——— referred, together with the treaties and accompanying documents, to the Committee on Foreign Relations, and ordered to be printed in confidence for the use of the Senate.

MARCH 6, 1914. Injunction of secrecy removed, and ordered printed for the use of the Senate.

WEDNESDAY, JANUARY 4, 1860.

The following messages were received from the President of the United States, by Mr. Buchanan, his secretary:

To the Senate of the United States:

I transmit to the Senate, for consideration with a view to ratification, a "treaty of transits and commerce between the United States of America and the Mexican Republic," and also a "convention to enforce treaty stipulations" between the same parties, both of which were signed by the plenipotentiaries of the respective Governments at Vera Cruz on the 14th December ultimo.

I also transmit a copy of a dispatch of the minister of the United States accredited to the Mexican Government to the Secretary of State relative to these instruments.

JAMES BUCHANAN.

WASHINGTON, 4 January, 1860.

The messages were read.

The treaty of transits and commerce between the United States of America and the Mexican Republic, signed at Vera Cruz on the 14th day of December, 1859, was read the first time.

On motion by Mr. Slidell,

Ordered, That the said treaty, together with the message of the President and the accompanying documents, be referred to the Committee on Foreign Relations and printed, under the direction of the Committee on Printing, in confidence for the use of the Senate.

The convention to enforce treaty stipulations between the United States of America and the Mexican Republic, signed at Vera Cruz on the 14th day of December, 1859, was read the first time.

On motion by Mr. Slidell,

Ordered, That the said treaty, together with the message of the President and accompanying documents, be referred to the Committee on Foreign Relations and printed, under the direction of the Committee on Printing, in confidence for the use of the Senate.

TUESDAY, JANUARY 10, 1860.

Mr. Mason submitted the following resolution, which was considered by unanimous consent and agreed to:

Resolved, That the President of the United States be requested to communicate to the Senate in executive session (if, in his judgment, not incompatible with the public interest) all the correspondence of Mr. McLane, minister in Mexico, with the Government of the United States prior to the conclusion of the treaty with Mexico, communicated to the Senate with his message of the 4th inst., so far as the same is connected with the subject of said treaties, or as relates to the condition of the existing Government in Mexico or its probable ability to sustain itself.

WEDNESDAY, JANUARY 18, 1860.

The following messages were received from the President of the United States, by Mr. Buchanan, his secretary:

To the Senate of the United States:

In compliance with the resolution of the Senate in executive session of the 10th instant, I transmit herewith the report of the Secretary of State, and the papers accompanying it, relating to the treaties lately negotiated by Mr. McLane, and to the conditions of the existing Government of Mexico.

It will be observed from the report that these papers are originals, and that it is indispensable they should be restored to the files of the Department when the subject to which they relate shall have been disposed of.

JAMES BUCHANAN.

WASHINGTON, *January 12, 1860.*

On motion by Mr. Mason,

Ordered, That the message of the President, together with the accompanying report of the Secretary of State and papers relating to the treaties lately negotiated with Mexico by Mr. McLane, be referred to the Committee on Foreign Relations.

On motion by Mr. Gwin,

Ordered, That the said message, together with the accompanying report and papers, be printed in confidence for the use of the Senate.

WEDNESDAY, FEBRUARY 1, 1860.

On motion by Mr. Slidell,

Ordered, That the papers (originals) relating to the treaties lately negotiated by Mr. McLane with the Republic of Mexico be returned by the Secretary to the President of the United States, agreeably to the request in his message of the 8th of January last.

TUESDAY, FEBRUARY 21, 1860.

Mr. Mason, from the Committee on Foreign Relations, to whom were referred, January 4th, the treaty of transits and commerce between the United States of America and the Mexican Republic, dated at Vera Cruz, December 14th, 1859, and the convention between the United States of America and the Mexican Republic to enforce treaty stipulations and to maintain order and security in the Territory of the Republics of Mexico and the United States, dated at Vera Cruz, December 14th, 1859, reported them severally without amendment.

MONDAY, FEBRUARY 27, 1860.

Mr. Seward presented the memorial of Gallespie and Studwell and others, merchants of New York, in favor of the ratifications of the treaties, now before the Senate, with Mexico.

Ordered, That it lie on the table.

The treaty of transit and commerce between the United States of America and the Mexican Republic, dated at Vera Cruz, December 14th, 1859, was read the second time and considered as in Committee of the Whole.

An amendment to the 8th article having been proposed by Mr. Pugh, After debate,

On motion by Mr. Mason,

Ordered, That the further consideration of the said treaty be postponed to, and that it be the special order of the day for, to-morrow (Tuesday), the 28th inst., at half past one o'clock p. m.

Mr. Simmons submitted the following resolution for consideration :

Resolved, That the President be requested to transmit to the Senate (for its use in executive session), if not in his judgment incompatible with the public interest, copies of the instructions given to our minister or ministers in Mexico, relating to the negotiation which resulted in the treaty with that country, now before the Senate.

TUESDAY, FEBRUARY 28, 1860.

The Senate resumed, as in Committee of the Whole, the consideration of the treaty of transits and commerce between the United States of America and the Mexican Republic, dated at Vera Cruz, December 14th, 1859, together with the amendment of the 8th article, proposed by Mr. Pugh the 27th inst.

After debate,

On motion by Mr. Mason,

Ordered, That the further consideration of the said treaty be postponed to, and that it be the special order of the day for, Thursday next, March 1st, at half past two o'clock p. m.

On motion by Mr. Simmons,

The Senate proceeded to consider the resolution submitted by him the 27th inst., requesting the President to transmit to the Senate the instructions given to our minister or ministers in Mexico, relating to the negotiation which resulted in the treaty with Mexico, now before the Senate; and

It having been amended on the motion of Mr. Simmons, was agreed to as follows:

Resolved, That the President of the United States be requested to transmit to the Senate (for its use in executive session), if not in his judgment incompatible with the public interest, copies of the instructions given to our minister or ministers in Mexico relating to the negotiation which resulted in the treaty with that country now before the Senate, and all the correspondence of the State Department with it.

Ordered, That the Secretary lay the said resolution before the President of the United States.

MONDAY, MARCH 12, 1860.

The following messages were received from the President of the United States, by Mr. Buchanan, his secretary:

* * * * *

To the Senate of the United States:

I transmit herewith a report from the Secretary of State, together with the papers accompanying it, in answer to the resolution of the Senate in executive session of the 28th ultimo, calling for the instructions to our minister or ministers in Mexico, which resulted in the negotiation of the treaty with that country now before the Senate.

JAMES BUCHANAN.

WASHINGTON, 8th March, 1860.

On motion by Mr. Mason,

Ordered, That the message of the President, in answer to the resolution of the Senate of the 28th February, calling for the instructions to our minister or ministers in Mexico, which resulted in the negotiation of the treaty with that country, now before the Senate, together with the accompanying documents, be printed in confidence for the use of the Senate.

Mr. Nicholson submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to communicate to the Senate a copy of the report of the agent referred to in his annual message as having been sent to Mexico to ascertain and report the condition of that country, if not incompatible with the public interest.

Ordered, That the Secretary lay the said resolution before the President of the United States.

THURSDAY, MARCH 15, 1860.

On motion by Mr. Mason,

Ordered, That the message of the President, transmitting a copy of the report of the agent referred to in his last annual message as having been sent to Mexico to ascertain and report the condition of that country, together with the accompanying documents, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

THURSDAY, MAY 31, 1860.

On motion by Mr. Mason,

The Senate resumed, as in Committee of the Whole, the consideration of the treaty of transits and commerce between the United States of America and the Mexican Republic, dated at Vera Cruz, December 14th, 1859, together with the amendment to the 8th article, proposed by Mr. Pugh, the 27th of February.

On motion by Mr. Pugh,

Ordered, That he have leave to withdraw the said amendment.

On motion by Mr. Simmons to amend the treaty as follows:

Article 8th: Strike out all thereof after the word "agree" to wit, "that from the list of merchandise here annexed, the Congress of the United States shall select those which, being the natural, industrial, or manufactured product of either of the two Republics, may be admitted for sale and consumption in either of the two countries, under conditions of a perfect reciprocity, whether they be considered free of duty, or at a rate of duty to be fixed by the Congress of the United States; it being the intention of the Mexican Republic to admit the articles in question at the lowest rate of duty, and even free, if the Congress of the United States consents thereto. Their introduction from one to the other Republic shall be made at the points which the Governments of both Republics may fix upon, at the limits or boundaries thereof ceded and granted for the transits and in perpetuity, by this convention, either across the Isthmus of Tehuantepec, or from the Gulf of California to the interior frontier between Mexico and the United States. If any similar privileges should be granted by Mexico to other nations at the termini of the aforesaid transits upon the Gulfs of Mexico and California, and upon the Pacific Ocean, it shall be in consideration of the same conditions and stipulations of reciprocity which are imposed upon the United States by the terms of this convention.

SCHEDULE ANNEXED TO ARTICLE VIII.

Animals of all kinds.
 Rice.
 Poultry and fresh eggs.
 Quicksilver.
 Stone coal.
 Fresh, salted, and smoked meats.
 Wood and iron houses.
 Raw hides.
 Horns.
 Chile, or red pepper.
 Drawings and models of large machinery, buildings, monuments, and boats.
 Boats of all sizes and classes for navigation of the rivers on the frontier.
 Brooms and material for their manufacture.
 Bridle bits.
 Fresh, dried, and sugared fruits.
 Type, spaces, plates for printing or engraving, rules, vignettes, and printing ink.
 Printed books of all classes bound in paper (pamphlet bound).
 Hops.

Timber, unwrought, and firewood.
 Butter and cheese.
 Geographical and nautical maps, and topographical plans.
 Marble, wrought and unwrought.
 Machines and implements for agriculture, farming, mining, for the development of the arts and sciences, and their fixtures, either loose or for their repair.
 Dyewood.
 Fish, tar, turpentine, and ashes.
 Plants, trees, and shrubbery.
 Slates for roofing purposes.
 Common salt.
 Riding saddles.
 Palm-leaf hats.
 Plaster of Paris (gypsum).
 Vegetables.
 Undressed sheepskins.
 Grains of all kinds, and from which bread is made.
 Flour.
 Wool.
 Lard.
 Tallow.
 Leather and manufactures of leather.
 Every species of textile or woven fabric of cotton, except that called brown sheeting (*manta triguero*).
 And in lieu thereof insert the following, to wit:
That the articles of merchandise herein enumerated, being such as are the natural products of the Republic of Mexico, shall be admitted for sale and consumption into the United States of America free from duty or customs charges, any such, in any form, that is to say:
Animals of all kinds.
Agave fiber, dressed or undressed, or made into rope bags or hammocks.
Ashes.
Boats, of all sizes and classes, for the navigation of the rivers on the frontier.
Cocoa, cocoa shells, cocoa leaves, cocoanuts.
Coffee.
Cotton.
Cochineal
Drawings and models of large machinery, buildings, monuments, and boats.
Dyewoods of all kinds, and extracts therefrom.
Fresh fruits.
Fresh, salted, and smoked meats.
Flour.
Fish.
Grain of all kinds from which bread is made.
Geographical and nautical maps, and topographical plans.
Horns and horn tips.
Indigo.
Jalap.
Lard.
Mahogany, and other woods useful in the manufacture of furniture.
Marble, wrought or unwrought.
Machines and implements for the development of the arts and sciences, and their fixtures, either loose or for their repair.
Poultry and fresh eggs.
Plants, trees, and shrubbery.
Plaster of Paris (gypsum).
Palm-leaf hats.
Pepper (either red or black).
Quicksilver.
Rice.
Raw hides.
Sarsaparilla.
Tar.
Tallow.
Timber, unwrought, and firewood.
Tobacco.

Turpentine.

Type, spaces, plates for printing or engraving, rules, vignettes, and printing ink.

Undressed sheepskins.

Vanilla.

Wool, the value of which when exported shall not exceed 18 cents per pound.

And the two Republics likewise agree that the articles of merchandise herein enumerated, being such as are the natural, industrial, or manufactured products of the United States of America, shall be admitted for sale and consumption into the Republic of Mexico, free from duty or customs charges, as such, in any form, that is to say:

Animals of all kinds.

Ashes.

Boats of all sizes and classes, for the navigation of the rivers on the frontier.

Brooms, and material for their manufacture.

Butter and cheese; cotton.

Drawings and models of large machinery, buildings, monuments, and boats.

Every species of textile or woven fabric of cotton, excepting that called brown sheeting (manta trigüño).

Fresh fruits.

Fresh, salted, and smoked meats.

Flour.

Fish.

Grain of all kinds and from which bread is made.

Geographical and nautical maps, and topographical plans.

Lard.

Leather, and all manufactures of leather.

Machines of all kinds, and implements for agriculture, farming, mining, for the development of the arts and sciences and their fixtures, either loose or for their repair.

Marble, wrought or unwrought.

Palm-leaf hats.

Plants, trees, and shrubbery.

Plows and iron in bars, loose.

Poultry and fresh eggs.

Printed books of all classes, bound in paper (pamphlets bound).

Plaster of Paris (gypsum).

Quicksilver.

Rice.

Stone coal.

Screws of all sizes.

Tar and turpentine.

Tallow.

Timber, unwrought, and firewood.

Tobacco.

Type, spaces, plates for printing and engraving, rules, vignettes, and printing ink.

Wood and iron houses.

Their introduction from one to the other Republic, as stated, shall be made at the points which the Governments of both Republics may fix upon, as the limits or boundaries of the transits ceded and granted in perpetuity by this convention, and at all other points of entry now fixed or which may hereafter be provided in either of the two countries within the jurisdiction of either of the two Governments now contracting for the entry of merchandise from other countries, and upon such proof as may be required, that the articles of merchandise so entered are of the growth or manufacture of the Republic from which they are exported.

If any similar privileges shall be granted by Mexico to any other nation at the termini of the aforesaid transits, upon the Gulfs of Mexico and California, and upon the Pacific Ocean, or at any other ports of entry of the Republic of Mexico, such grant or privileges shall be made upon the same conditions of reciprocal benefits with those herein stipulated between the United States and Mexico, and shall not be granted without the payment of a proportionate amount of money, in advance, in each case, as an equivalent and compensation for the revenue surrendered by Mexico in relinquishing the specific or other duties imposed upon others upon the introduction of the articles of merchandise herein enumerated into that Republic. The amounts to be paid

in money by such other nation shall bear the same proportion to the amount of its trade with Mexico in the articles of merchandise herein enumerated as the sum of four millions of dollars bears to amount of the trade from the United States to the Republic of Mexico in the same articles of merchandise, and shall be computed and apportioned, in each case, upon the amount of the actual trade of such other nation to Mexico in said articles of merchandise for the five years next preceding the time of the ratification of the present treaty, and all such commercial privileges shall terminate simultaneously with those herein granted.

After debate,

On the question, Shall the said words proposed to be stricken out stand as part of the eighth article?

It was determined in the negative, { Yeas ----- 26
Nays ----- 24

Those who voted in the affirmative are,

Messrs. Benjamin, Bigler, Bingham, Chesnut, Clingman, Davis, Fitch, Fitzpatrick, Green, Gwin, Hale, Hammond, Hunter, Iverson, Johnson of Arkansas, Lane, Mason, Nicholson, Pearce, Polk, Powell, Saulsbury, Sebastian, Slidell, Toombs, Trumbull.

Those who voted in the negative are,

Messrs. Anthony, Bragg, Cameron, Chandler, Clark, Collamer, Crittenden, Dixon, Doolittle, Fessenden, Foot, Foster, Grimes, Harlan, Hemphill, Johnson of Tennessee, Pugh, Seward, Simmons, Sumner, Ten Eyck, Wade, Wigfall, Wilson.

On motion by Mr. Pugh that the Senate reconsider the vote amending the eighth article by striking out the words as aforesaid,

It was determined by the negative.

After further debate,

On the question, Shall the said words proposed to be inserted in lieu of the words stricken out of the 8th article stand as part of the 8th article?

It was determined in the negative, { Yeas ----- 20
Nays ----- 26

Those who voted in the affirmative are,

Messrs. Anthony, Bragg, Cameron, Chandler, Clark, Collamer, Doolittle, Fessenden, Foot, Foster, Grimes, Harlan, Hemphill, Mason, Seward, Simmons, Sumner, Wade, Walkinson, Wilson.

Those who voted in the negative are,

Messrs. Benjamin, Bigler, Bingham, Brown, Chesnut, Clingman, Davis, Fitch, Fitzpatrick, Green, Hale, Hammond, Hunter, Johnson of Ark., Johnson of Tenn., Lane, Pearce, Polk, Powell, Pugh, Rice, Sebastian, Slidell, Toombs, Trumbull, Wigfall.

On motion by Mr. Hale to postpone the further consideration of the said treaty to the first Monday of December next,

It was determined in the negative, { Yeas ----- 21
Nays ----- 26

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Bingham, Brown, Cameron, Chandler, Clark, Collamer, Doolittle, Fessenden, Foot, Foster, Grimes, Hale, Hammond, Harlan, King, Pearce, Seward, Sumner, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Anthony, Benjamin, Bigler, Bragg, Chesnut, Clingman, Crittenden, Davis, Fitch, Fitzpatrick, Green, Gwin, Hunter, Johnson of Ark., Johnson of Tenn., Lane, Mason, Nicholson, Polk, Powell, Pugh, Sebastian, Simmons, Slidell, Toombs, Wigfall.

After further debate,

On motion by Mr. Bigler that the Senate adjourn,

It was determined in the negative.

On motion by Mr. Pugh to recommit the said treaty to the Committee on Foreign Relations,

It was determined in the negative.

On motion by Mr. Powell that the Senate adjourn,

It was determined in the negative.

No further amendment being made, the treaty was reported to the Senate; and on the question to agree to the amendment made in Committee of the Whole, to wit:

Shall the words proposed to be stricken out of the 8th article stand as part of the said article?

It was determined in the negative {	Yeas-----	26
	Nays-----	20

Those who voted in the affirmative are,

Messrs. Bigler, Bragg, Brown, Chesnut, Clingman, Davis, Fitch, Fitzpatrick, Green, Gwin, Hammond, Hunter, Johnson of Ark., Johnson of Tenn., Lane, Mason, Pearce, Polk, Powell, Pugh, Rice, Sebastian, Slidell, Toombs, Trumbull, Wigfall.

Those who voted in the negative are,

Messrs. Anthony, Bingham, Cameron, Chandler, Clark, Dollamer, Doolittle, Fessenden, Foot, Foster, Grimes, Hale, Harlan, King, Seward, Simmons, Sumner, Wade, Wilkinson, Wilson.

On motion by Mr. Simmons that the Senate adjourn,

It was determined in the negative.

On motion by Mr. Simmons to amend the treaty by inserting the words as proposed by him in Committee of the Whole, in lieu of the words stricken out of the 8th article,

On the question: Shall the words proposed to be inserted stand as part of the 8th article?

It was determined in the negative {	Yeas-----	21
	Nays-----	23

Those who voted in the affirmative are,

Messrs. Anthony, Bragg, Cameron, Clark, Collamer, Doolittle, Fessenden, Foot, Foster, Green, Grimes, Halan, Hemphill, Mason, Polk, Rice, Seward, Simmons, Sumner, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bigler, Bingham, Brown, Chesnut, Clingman, Davis, Fitch, Fitzpatrick, Hale, Hammond, Hunter, Johnson of Ark., Johnson of Tenn., King, Lane, Pearce, Powell, Sebastian, Slidell, Toombs, Trumbull, Wigfall, Yulee.

Mr. Mason submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty of transits and commerce between the United States of America and the Mexican Republic, dated at Vera Cruz, December 14th, 1859, with the following amendments to wit:

Article VIII. Strike out all of the said article in the following words:

"The two Republics likewise agree that, from the list of merchandise here annexed, the Congress of the United States shall select those which, being the natural industrial or manufactured products of either of the two Republics

may be admitted for sale and consumption in either of the two countries under conditions of a perfect reciprocity, whether they be considered free of duty, or at a rate of duty to be fixed by the Congress of the United States; it being the intention of the Mexican Republic to admit the articles in question at the lowest rate of duty, and even free if the Congress of the United States consents thereto. Their introduction from one to the other Republic shall be made at the points which the Governments of both Republics may fix upon as the limits or boundaries thereof ceded and granted for the transits, and in perpetuity by this convention, either across the Isthmus of Tehuantepec or from the Gulf of California to the interior frontier between Mexico and the United States. If any similar privileges should be granted by Mexico to other nations at the termini of the aforesaid transits upon the Gulfs of Mexico and California, and upon the Pacific Ocean, it shall be in consideration of the same conditions and stipulations of reciprocity which are imposed upon the United States by the terms of this convention."

SCHEDULE ANNEXED TO ARTICLE VIII.

Animals of all kinds.
Flows, and loose iron bars.
Rice.
Poultry and fresh eggs.
Quicksilver.
Stone coal.
Fresh, salted, and smoked meats.
Wood and iron houses.
Raw hides.
Horns.
Chile, or red pepper.
Drawings and models of large machinery, buildings, monuments, and boats.
Boats of all sizes and classes for the navigation of the rivers on the frontier.
Brooms, and material for their manufacture.
Bridle-bits.
Fresh, dried, and sugared fruits.
Type, spaces, plates for printing or engraving rules, vignettes, and printing-ink.
Printed books of all classes bound in paper (pamphlet bound).
Hops.
Timber, unwrought, and firewood.
Butter and cheese.
Geographical and nautical maps, and topographical plans.
Marble, wrought, and unwrought.
Machines and implements for agriculture, farming, mining, for the development of the arts and sciences, and their fixtures, either loose or for their repair.
Dyewood.
Fish, tar, turpentine, and ashes.
Plants, trees, and shrubbery.
Slates for roofing purposes.
Common salt.
Riding-saddles.
Palm-leaf hats.
Plaster of Paris (gypsum).
Vegetables.
Undressed sheepskins.
Grain of all kinds and from which bread is made.
Flour.
Wool.
Lard.
Tallow.
Leather, and manufactures of leather.
Every species of textile or woven fabric of cotton, excepting that called brown sheeting (manta triguena)."

The Senate, by unanimous consent, proceeded to consider the said resolution.

On motion by Mr. Wigfall to amend the resolution by adding thereto the following, to wit. Add as an additional article to the treaty the following words:

And it is further stipulated and agreed that fugitives from service and from justice shall be mutually surrendered by the authorities of the respective Governments on the demand of the Government from which the fugitives fled or escaped.

On the question, Shall these words stand as part of the resolution?

It was determined in the negative, { Yeas----- 22
Nays----- 20

Those who voted in the affirmative are,

Messrs. Bigler, Bragg, Brown, Clingman, Davis, Fitzpatrick, Green, Hammond, Hemphill, Hunter, Johnson of Tenn., Lane, Mason, Pearce, Polk, Powell, Pugh, Rice, Sebastian, Slidell, Toombs, Wigfall.

Those who voted in the negative are,

Messrs. Anthony, Bingham, Cameron, Chandler, Clark, Doolittle, Fessenden, Foot, Foster, Grimes, Hale, Harlan, King, Seward, Simmons, Sumner, Trumbull, Wade, Wilkinson, Wilson.

On the question to agree to the said resolution,

It was determined in the negative, { Yeas----- 18
Nays----- 27

Those who voted in the affirmative are.

Messrs. Bragg, Clingman, Davis, Fitch, Fitzpatrick, Green, Gwin, Hemphill, Johnson of Ark., Johnson of Tenn., Lane, Mason, Polk, Pugh, Rice, Sebastian, Toombs.

Those who voted in the negative are,

Messrs. Anthony, Bigler, Bingham, Brown, Cameron, Chandler, Clark, Collamer, Doolittle, Fessenden, Foot, Foster, Grimes, Hale, Hammond, Harlan, Hunter, King, Pearce, Seward, Simmons, Slidell, Sumner, Trumbull, Wade, Wilkinson, Wilson.

So it was

Resolved, That the Senate do not advise and consent to the ratification of the treaty of transits and commerce between the United States of America and the Mexican Republic, dated at Vera Cruz December 14th, 1859.

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr. Simmons that the Senate reconsider the vote that the Senate do not advise and consent to the ratification of the treaty of transits and commerce between the United States of America and the Mexican Republic.

Ordered, That the consideration of said motion be postponed to tomorrow.

WEDNESDAY, JUNE 27, 1860.

On motion by Mr. Mason,

The Senate proceeded to consider the motion of Mr. Simmons, on the 31st of May, that the Senate reconsider the vote on the resolution of the Senate not to advise and consent to the ratification of the treaty of transits and commerce between the United States of America and the Mexican Republic, dated at Vera Cruz, December 14, 1859.

On the question, Will the Senate agree thereto?

It was determined in the affirmative, Yeas: 26; Nays: 15.

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Anthony, Bigler, Bragg, Bright, Chesnut, Clingman, Crittenden, Davis, Fitch, Fitzpatrick, Foot, Gwin, Hemphill, Hunter, Iverson, Mallory, Mason, Nicholson, Powell, Pugh, Rice, Saulsbury, Simmons, Thompson, Wilson, Yulee.

Those who voted in the negative are,

Messrs. Bayard, Chandler, Collamer, Doolittle, Fessenden, Grimes, Hale, Hammond, Harlan, King, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson.

So the vote on the said resolution of the Senate was reconsidered.

Amendments having been proposed by Mr. Simmons,

On motion by Mr. Wilson,

Ordered, That the further consideration of the said treaty and the proposed amendments be postponed to the first Monday in December next.

TREATY WITH SPAIN, 1860, FOR SETTLEMENT OF CLAIMS.

TUESDAY, MAY 4, 1860.

The following messages were received from the President of the United States, by Mr. Buchanan, his secretary.

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a convention between the United States and Spain for the settlement of claims, signed at Madrid on the 5th of March, last.

JAMES BUCHANAN.

WASHINGTON, May 3, 1860.

The convention between the United States and Spain, to arrange certain claims of citizens of the United States, arising under a provisional decree, issued by the authorities of the Island of Cuba, signed at Madrid on the 5th day of March, 1860, was read the first time.

On motion by Mr. Mason,

Ordered, That the said convention, together with the message of the President, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

WEDNESDAY, MAY 16, 1860.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 4th inst., the convention between the United States and Spain, to arrange certain claims of citizens of the United States arising under a provisional decree issued by the authorities of the island of Cuba, signed at Madrid on the 5th day of March, 1860, reported it without amendment.

TUESDAY, JUNE 26, 1860.

On motion by Mr. Mason,

The convention between the United States and Spain to arrange certain claims of citizens of the United States arising under a provisional decree issued by the authorities of the Island of Cuba, signed

at Madrid on the 5th day of March, 1860, was read the second time and considered as in Committee of the Whole; and

On motion by Mr. Sumner to amend the first and second articles,
The Senate adjourned.

WEDNESDAY, JUNE 27, 1860.

On motion by Mr. Mason,

The Senate resumed, as in Committee of the Whole, the consideration of the convention between the United States and Spain to arrange certain claims of citizens of the United States arising under a provisional decree issued by the authorities of the island of Cuba, signed at Madrid on the 5th day of March, 1860, together with the amendment proposed yesterday by Mr. Sumner, to wit:

Article 1. Strike out the words "one hundred thousand dollars"; also strike out the following words: "and the remainder, to wit, twenty-eight thousand six hundred and thirty-five dollars and fifty-four cents, shall remain under the control of the Spanish Government until the fulfillment of the award which may be rendered by the commission hereafter established in respect to the claims pending for many years for the capture of the schooner called the *Amistad*."

"If the amount should be adverse to the *Amistad* claimants, or if the Government of the United States, complying with it, should pay the sum that may become due in virtue thereof, then the Government of Her Catholic Majesty binds itself to pay the said residue retained to the Government of the United States within the term of three months after the occurrence of either of the two cases mentioned; but if the decision should be favorable to the *Amistad* claimants, and the American Government should refuse to fulfill the said award or neglect its fulfillment for one year from the day of its rendition, then the Government of Her Catholic Majesty shall pay to the *Amistad* claimants the sum retained; and if the said sum retained shall be more than sufficient to satisfy the awards, then the Government of Her Catholic Majesty shall pay to the United States the excess for distribution among the Cuban claimants; but if, on the contrary, the sum retained shall be insufficient, the Government of the United States binds itself to pay to the Government of Her Catholic Majesty the difference for the use of the *Amistad* claimants. And the United States agrees also to pay to the said Cuban claimants the amount of the sum retained or any part thereof which may be applied by Spain under this convention to satisfying the *Amistad* claimants."

Article 2. Strike out the words "including the *Amistad* claims."

On the question, Shall the words so proposed to be stricken out stand as part of the treaty?

It was determined in the affirmative,	{ Yeas -----	28
	{ Nays -----	13

Those who voted in the affirmative are,

Messrs. Bayard, Bigler, Bragg, Brown, Chestnut, Clingman, Crittenden, Davis, Fitch, Fitzpatrick, Grimes, Gwin, Hale, Harlan, Hemphill, Hunter, Iverson, Johnson of Ark., Mallory, Mason, Nicholson, Powell, Rice, Saulsbury, Thomson, Toombs, Trumbull, Wigfall.

Those who voted in the negative are,

Messrs. Anthony, Chandler, Collamer, Doolittle, Durkee, Fessenden, Foot, King, Simmons, Sumner, TenEyck, Wade, Wilson.

No further amendment being proposed, the convention was reported to the Senate.

Mr. Mason submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the convention between the United States and Spain, to arrange certain claims of citizens of the United States, arising under a provisional decree issued by the authorities of the island of Cuba, signed at Madrid on the 5th day of March, 1860.

The Senate, by unanimous consent, proceeded to consider the said resolution; and

On the question, Will the Senate agree thereto?

It was determined in the negative, { Yeas ----- 26
Nays ----- 17

Those who voted in the affirmative are:

Messrs. Bayard, Bigler, Bragg, Bright, Brown, Chestnut, Clingman, Crittenden, Davis, Fitch, Fitzpatrick, Gwin, Hemphill, Hunter, Iverson, Johnson of Ark., Mallory, Mason, Nicholson, Powell, Pugh, Rice, Saulsbury, Thomson, Toombs, Wigfall.

Those who voted in the negative are:

Messrs. Chandler, Collamer, Doolittle, Durkee, Fessenden, Foot, Grimes, Hale, Harlan, King, Simmons, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, Wilson.

On motion by Mr. Simmons to reconsider the vote that the Senate do not advise and consent to the ratification of the said convention between the United States and Spain.

It was determined in the affirmative.

After debate,

On the question, will the Senate agree to the said resolutions to advise and consent to the ratification of the convention between the United States and Spain, with the amendments, as aforesaid?

It was determined in the negative, { Yeas ----- 24
Nays ----- 18

Those who voted in the affirmative are:

Messrs. Bayard, Bigler, Bragg, Bright, Brown, Chesnut, Clingman, Crittenden, Davis, Fitch, Fitzpatrick, Gwin, Hemphill, Iverson, Johnson of Ark., Mallory, Mason, Nicholson, Powell, Pugh, Rice, Saulsbury, Thomson, Yulee.

Those who voted in the negative are:

Messrs. Anthony, Chandler, Collamer, Doolittle, Durkee, Fessenden, Foot, Grimes, Hale, Harlan, King, Simmons, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, Wilson.

So it was

Resolved. That the Senate do not advise and consent to the ratification of the convention between the United States and Spain to arrange certain claims of citizens of the United States arising under a provisional decree issued by the authorities of the island of Cuba, signed at Madrid on 5th day of March, 1860.

Ordered. That the Secretary lay the said resolution before the President of the United States.

THURSDAY, JUNE 28, 1860.

On motion by Mr. Bayard that the injunction of secrecy be removed from the proceedings of the Senate on the convention between the United States and Spain, signed on the 5th day of March, 1860.

It was determined in the affirmative.

On motion by Mr. Bayard,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are:

Messrs. Anthony, Bayard, Bright, Chesnut, Crittenden, Davis, Durkee, Fitzpatrick, Foot, Gwin, Hale, Hammond, Hemphill, Johnson of Ark., Johnson of Tenn., Kennedy, King, Lane, Mallory, Mason, Nicholson, Powell, Pugh, Rice, Sebastian, Simmons, Trumbull, Wigfall, Wilkinson, Yulee.

Those who voted in the negative are:

Messrs. Bigler, Brown, Iversin, Polk.

On motion by Mr. Wigfall to reconsider the vote of the Senate to remove the injunction of secrecy from the proceedings of the Senate on the treaty between the United States and Spain.

It was determined in the affirmative.

TREATY WITH BELGIUM RELATING TO THE ACQUIRING AND INHERITING PROPERTY, AUGUST 25, 1852.

WEDNESDAY, DECEMBER 15, 1852.

On motion by Mr. Mason,

Ordered, That the convention with Belgium, received the 30th August, 1852, be referred to the Committee on Foreign Relations.

WEDNESDAY, MARCH 9, 1853.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, on the 15th December last, the convention between the United States of America and Belgium, for regulating the right of inheriting and acquiring property, concluded at the city of Washington the 25th day of August, 1852, reported it without amendment.

TUESDAY, MARCH 15, 1853.

The convention between the United States of America and Belgium for regulating the right of inheriting and acquiring property, concluded at the city of Washington the 23d day of August, 1852, was read the second time, and considered as in Committee of the Whole; and,

On motion of Mr. Mason,

Ordered, That it lie on the table.

TUESDAY, DECEMBER 20, 1853.

On motion by Mr. Mason,

Ordered, That the following treaties heretofore communicated to the Senate by the President, and not definitely acted on, be again referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate, to wit:

Convention between the United States of America and Belgium for regulating the right of inheriting and acquiring property, concluded at the city of Washington the 25th day of August, in the year of our Lord 1852.

EXTRADITION TREATY WITH BELGIUM, FEBRUARY 11, 1853.

THURSDAY, FEBRUARY 17, 1853.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I herewith communicate to the Senate, for its consideration with a view to ratification, a convention on the subject of the extradition of fugitives from justice, between the United States and Belgium, concluded and signed in this city on the 11th instant by the respective plenipotentiaries.

MILLARD FILLMORE.

WASHINGTON, 14th February, 1853.

The messages were read.

The treaty of extradition between the United States and Belgium, concluded at Washington the 11th of February, 1853, was read the first time; and,

On motion by Mr. Mason,

Ordered, That the treaty and message be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

WEDNESDAY, MARCH 9, 1853.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 24th February last, the treaty of extradition between the United States and Belgium, concluded at Washington the 11th February, 1853, reported it without amendment.

The said treaty was read the second time, and considered as in Committee of the Whole; and,

On motion by Mr. Mason,

Ordered, That it lie on the table.

TUESDAY, DECEMBER 20, 1853.

On motion by Mr. Mason,

Ordered, That the following treaties heretofore communicated to the Senate by the President, and not definitely acted on, be again referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate, to wit: * * *

Treaty of extradition between the United States and Belgium, concluded at Washington the 11th February, 1853.

**TREATY BETWEEN THE UNITED STATES AND GREAT BRITAIN
FOR THE ESTABLISHMENT OF INTERNATIONAL COPYRIGHT,
FEBRUARY 17, 1853.**

THURSDAY, FEBRUARY 24, 1853.

The following messages were received from the President of the United States, by Mr. Fillmore, His Secretary:

To the Senate of the United States:

I transmit to the Senate, with the view to its ratification, a convention which was yesterday concluded between the United States and Great Britain for the establishment of international copyright.

MILLARD FILLMORE.

WASHINGTON, *February 18th, 1853.*

The convention between the United States of America and Her Britannic Majesty for the establishment of international copyright, concluded at Washington the 17th day of February, in the year of our Lord eighteen hundred and fifty-three, was read the first time.

On motion by Mr. Mason,

Ordered, That the convention and the message therewith be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

TUESDAY, MARCH 15, 1853.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 24th February last the convention with Great Britain for the establishment of international copyright, reported it without amendment.

TUESDAY, APRIL 5, 1853.

The convention with Her Britannic Majesty for the establishment of international copyright, concluded at Washington the 17th day of February, in the year of our Lord 1853, was read the second time, and considered as in Committee of the Whole; and,

On motion by Mr. Mason,

Ordered, That it lie on the table.

TUESDAY, DECEMBER 20, 1853.

On motion by Mr. Mason,

Ordered, That the following treaties heretofore communicated to the Senate by the President, and not definitely acted on, be again referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate, to wit:

Convention between the United States of America and Her Britannic Majesty for the establishment of international copyright, concluded at Washington the 17th day of February, in the year of our Lord 1853.

TUESDAY, JANUARY 24, 1854.

Mr. Everett, from the Committee on Foreign Relations, to which was referred, the 20th December last, the convention between the United States of America and Her Britannic Majesty for the establishment of international copyright, reported it without amendment.

WEDNESDAY, FEBRUARY 8, 1854.

Mr. Brodhead presented memorials from Samuel Allen and three hundred and sixty-two other citizens of Pennsylvania, remonstrating against the ratification of a treaty with Great Britain for the creation of any international copyright between that country and the United States.

Ordered, That the said memorials lie on the table.

THURSDAY, FEBRUARY 9, 1854.

Mr. Brodhead presented memorials from James C. Vogdes and other citizens of Pennsylvania, remonstrating against the ratification of a treaty with Great Britain for the creation of any international copyright between that country and the United States.

Mr. Fish presented a memorial from Leonard Scott and Company and forty-three other citizens of New York upon the same subject.

Ordered, That those several memorials lie on the table.

MONDAY, FEBRUARY 13, 1854.

Mr. Mallory submitted the following resolution for consideration:

Resolved, That the injunction of secrecy be removed from the international copyright treaty now before the Senate, and that the consideration of said treaty be in open session.

Mr. Brodhead presented a memorial of T. T. Carter and thirteen other citizens, and a memorial of Phillips, Sampson and Company and seventy-one other citizens of Massachusetts, all protesting against

the ratification of the international copyright treaty with Great Britain; and

Ordered, That the said memorials lie on the table.

TUESDAY, FEBRUARY 14, 1854.

The following message was received from the President of the United States, by Mr. Webster, his secretary:

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, an additional article to the convention for the establishment of international copyright, which was concluded at Washington on the 17th of February, 1853, between the United States of America and Her Britannic Majesty, extending the time limited in that convention for the exchange of the ratifications of the same.

FRANKLIN PIERCE.

WASHINGTON, February 13, 1854.

The message was read.

The additional article to the convention for the establishment of international copyright between the United States of America and Her Britannic Majesty, concluded at Washington the 17th of February, 1853, was read the first time.

On motion by Mr. Mason,

Ordered, That the said additional article and the message communicating the same be referred to the Committee on Foreign Relations.

* * * * *

FRIDAY, FEBRUARY 24, 1854.

Mr. Mason submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the Senate be directed to address a note on behalf of the Senate to each Senator, putting the following interrogatories:

1st. Whether he has any information which will enable the Senate to ascertain in what way, or by whose instrumentality, the treaty with Mexico, and that with Great Britain relating to copyright, and the amendment to the latter offered by a Senator from Massachusetts, or either of them, which are now depending before the Senate, have been disclosed in violation of the thirty-ninth rule and been published in the public journals.

2d. Whether he has any information which will enable the Senate to ascertain in what way or by whose instrumentality the debates in the Senate and the remarks made in debate by individual Senators, whilst the Senate was in executive session on the nomination of George N. Sanders as consul at London, were in like manner disclosed in violation of the rules of the Senate and been published in said journals; and that at the end of one week after the date of said note he communicate the replies that are received to the same to the Senate in executive session.

Mr. Everett presented the memorial of E. H. Higgins and sixty-four other citizens of Massachusetts remonstrating against the ratification of the international copyright treaty with Great Britain.

Ordered, That it lie on the table.

TUESDAY, MARCH 7, 1854.

Mr. Everett presented the memorial of Charles M. Owen and sixty-three other citizens of Massachusetts, remonstrating against the ratifi-

cation of a treaty with Great Britain for the establishment of an international copyright.

Ordered. That it lie on the table.

NOTE.—Treaty between the United States and the Mexican Republic, concluded at the City of Mexico, the 30th day of December, in the year of our Lord eighteen hundred and fifty-three. (Gadsden Treaty.)

This treaty was presented December 30, 1853, and was rejected as it stood, not by vote, but reference to Committee, which later reported an amended treaty which was rejected April 17, 1854, for the time being, but consideration was resumed and further amendments introduced, and ratification advised by the Senate. (Library of Congress number F786.U58.)

TREATY WITH MEXICO OF DECEMBER 30, 1853.

FRIDAY, FEBRUARY 10, 1854.

The following messages were received from the President of the United States, by Mr. Webster, his secretary:

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a treaty between the United States and the Mexican Republic, signed by the plenipotentiaries of the parties in the City of Mexico on the 30th of December last. Certain amendments are proposed to the instrument, as hereinafter specified, viz:

In order to make the duties and obligations stipulated in the second article reciprocal, it is proposed to add to that article the following:

"And the Government of Mexico agrees that the stipulations contained in this article to be performed by the United States shall be reciprocal, and Mexico shall be under like obligations to the United States and the citizens thereof as those herein above imposed on the latter in favor of the Republic of Mexico and Mexican citizens."

It is also recommended that for the 3d article of the original treaty the following shall be adopted as a substitute:

"In consideration of the grants received by the United States and the obligations relinquished by the Mexican Republic pursuant to this treaty, the former agree to pay to the latter the sum of fifteen millions of dollars in gold or silver coin at the Treasury at Washington, one-fifth of the amount on the exchange of ratifications of the present treaty at Washington, and the remaining four-fifths in monthly installments of three millions each, with interest at the rate of six per cent. per annum until the whole be paid, the Government of the United States reserving the right to pay up the whole sum of fifteen millions at an earlier date, as may be to it convenient.

"The United States also agree to assume all the claims of their citizens against the Mexican Republic which may have arisen under treaty or the law of nations since the date of the signature of the treaty of Guadalupe. And the Mexican Republic agrees to exonerate the United States of America from all claims of Mexico or Mexican citizens which may have arisen under treaty or the law of nations since the date of the treaty of Guadalupe, so that each Government in the most formal and effective manner shall be exempted and exonerated of all such obligations to each other respectively."

I also recommend that the 8th article be modified by striking out all after the word "attempts," in the twenty-third line of that article. The part to be omitted is as follows:

"They mutually and especially obligate themselves in all cases of such lawless enterprises which may not have been prevented through the civil authorities before formation, to aid with the naval and military forces, on due notice being given by the aggrieved party of the aggressions of the citizens and subjects of the other, so that the lawless adventurers may be pursued and overtaken on the high seas, their elements of war destroyed, and the deluded captives held responsible in their persons, and meet with the merited retribution inflicted by the laws of nations against all such disturbers of the peace and happiness of contiguous and friendly powers. It being understood that in all

cases of successful pursuit and capture, the delinquents so captured shall be judged and punished by the Government of that nation to which the vessel capturing them may belong, conformably to the laws of each nation."

At the close of the instrument it will also be advisable to substitute seventy-eighth for seventy-seventh year of the Independence of the United States.

FRANKLIN PIERCE.

WASHINGTON, 10 February, 1854.

The messages were read.

The treaty between the United States of America and the Mexican Republic, concluded at the City of Mexico the 30th day of December, in the year of our Lord eighteen hundred and fifty-three, was read the first time.

On motion of Mr. Rusk,

Ordered, That the treaty and the message communicating the same be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

THURSDAY, FEBRUARY 16, 1854.

Mr. Mallory submitted the following resolution for consideration:

Resolved, That a select committee to consist of five members, to be appointed by the President *pro tempore*, be instructed to inquire into the manner and means by which the pending treaty with Mexico and the message of the President transmitted with the treaty have been made public; and that they have power to compel the production of papers and the attendance of witnesses.

FRIDAY, FEBRUARY 24, 1854.

Mr. Mason submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the Senate be directed to address a note on behalf of the Senate to each Senator, putting the following interrogatories:

1st. Whether he has any information which will enable the Senate to ascertain in what way, or by whose instrumentality, the treaty with Mexico, and that with Great Britain relating to copyright, and the amendment to the latter offered by a Senator from Massachusetts, or either of them, which are now depending before the Senate, have been disclosed in violation of the thirty-ninth rule and been published in the public journals.

2d. Whether he has any information which will enable the Senate to ascertain in what way or by whose instrumentality the debates in the Senate and the remarks made in debate by individual Senators, whilst the Senate was in executive session on the nomination of George N. Sanders as consul at London, were in like manner disclosed in violation of the rules of the Senate and been published in said journals; and that at the end of one week after the date of said note he communicate the replies that are received to the same to the Senate in executive session.

FRIDAY, MARCH 9, 1854.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 10th of February, the treaty between the United States of America and the Mexican Republic, concluded at the city of Mexico, the 30th day of December, in the year of our Lord eighteen hundred and fifty-three, reported it with amendments, as follows, viz:

The Committee on Foreign Relations, to whom was referred the treaty between the United States of America and the Mexican Re-

public of the 30th December, 1853, report the same to the Senate with the following amendments:

Article 1st. After the word "lake," at the end of the first clause, insert:
Provided, That "the most northern part of the Gulf of California" mentioned in this article shall be indicated by a parallel of latitude to be drawn at the distance of one marine league south of the most southern point of the island called "Montague Island," as the same is laid down on the chart of "the reconnaissance of the Colorado River," by George H. Derby, Lieutenant United States Topographical Engineers, December, 1850, which chart, attested by the signature of the Secretary of State of the United States, and bearing the seal of the Department of State of the United States, for greater certainty is hereto annexed.

Article 2d, line 10. Strike out the word "obligation" and insert *obligations*.

Article 2d, line 12. After the word "Guadaloupe," insert:

And the thirty-third article of a treaty of amity, commerce, and navigation between the United States of America and the United Mexican States, "concluded at Mexico on the 5th day of April, in the year 1831."

Article 2, line 12. Strike out the word "has" and insert *have*.

Article 2, line 13. Strike out the word "is" and insert *are*.

Article 4, line 33. After the word "and" insert *whichever place of meeting may be designated*.

And the committee recommend that the amendments proposed by the President be agreed to by the Senate, with the addition and modification specified in their proper places in the said amendments, as following, viz:

Article 2. At the end thereof add the following:

And the Government of Mexico agrees that the stipulations contained in this article to be performed by the United States shall be reciprocal, and Mexico shall be under like obligations to the United States and the citizens thereof as those herein above imposed on the latter in favor of the Republic of Mexico and Mexican citizens.

Article 3. Strike out the whole of the same and insert the following in lieu thereof:

Article 3. In consideration of the grants received by the United States, and the obligations relinquished by the Mexican Republic pursuant to this treaty, the former agree to pay to the latter the sum of fifteen millions of dollars in gold or silver coin at the Treasury at Washington, one-fifth of the amount on the exchange of ratifications of the present treaty at Washington, and the remaining four-fifths in monthly installments of three millions each, with interest at the rate of six per cent per annum, until the whole be paid, the Government of the United States reserving the right to pay up the whole sum of fifteen millions at an earlier date, as may be to it convenient.

Here the committee recommend the addition of the following, viz:

That the last monthly installment as aforesaid be reserved by the Government of the United States until the boundaries prescribed in Article 1 be "established" as provided in said article.

Article 3d, second clause, as proposed by the President, viz:

The United States also agree to assume all the claims of their citizens against the Mexican Republic which may have arisen under treaty or the law of nations since the date of the signature of the treaty of Guadalupe.

Here the committee recommend the insertion of the following modification, viz:

Including any just and proper indemnity to the holders of the so-called concession to Garay (being citizens of the United States) the character of which is known to the correspondence between the two Governments, but not to include compensation for any loss of anticipated profits.

The second clause of article 3, as proposed by the President, then proceeds as follows, viz:

And the Mexican Republic agrees to exonerate the United States of America from all claims of Mexico or Mexican citizens which may have arisen under treaty or the laws of nations since the date of the treaty of Guadalupe, so that each Government in the most formal and effective manner shall be exempted and exonerated of all such obligations to each other respectively.

The following are the remaining amendments proposed by the President, viz:

Article 8. After the word "attempts," in the 28th line of the printed copy, strike out the residue of the article, in the following words, viz:

"They mutually and especially obligate themselves in all cases of such lawless enterprises which may not have been prevented through the civil authorities before formation, to aid with the naval and military forces, on due notice being given by the aggrieved party of the aggressions of the citizens and subjects of the other, so that the lawless adventurers may be pursued and overtaken on the high seas, their elements of war destroyed, and the deluded captives held responsible in their persons and meet with the merited retribution inflicted by the laws of nations against all such disturbers of the peace and happiness of contiguous and friendly powers. It being understood that in all cases of successful pursuit and capture the delinquents so captured shall be judged and punished by the Government of that nation to which the vessel capturing them may belong, conformably to the laws of each nation."

In the concluding paragraph of the treaty relating to the year of Independence of the United States, strike out the word "seventy-seventh" and insert *seventy-eighth*.

MONDAY, MARCH 13, 1854.

The treaty between the United States of America and the Mexican Republic concluded at the City of Mexico the 30th day of December, in the year of our Lord eighteen hundred and fifty-three, was read the second time and considered as in Committee of the Whole.

On motion by Mr. Shields.

Ordered, That the said treaty, together with the amendments reported from the Committee on Foreign Relations, be printed in confidence for the use of the Senate, and that it be postponed to and made the order of the day for Wednesday next.

Mr. Bell submitted an amendment intended to be proposed as an additional article to the treaty with Mexico, which was referred to the Committee on Foreign Relations, and ordered to be printed in confidence for the use of the Senate.

WEDNESDAY, MARCH 15, 1854.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 13th instant, the amendment submitted by Mr. Bell to the treaty with the Mexican Republic of the 30th December, 1853, reported it without amendment.

The Senate, as in Committee of the Whole, proceeded to consider the treaty between the United States of America and the Mexican Republic, concluded at the City of Mexico the 30th day of December, in the year of our Lord eighteen hundred and fifty-three; and

After debate,

On motion by Mr. Mason,

Ordered, That the further consideration thereof be postponed to and made the order of the day for to-morrow at one o'clock.

Mr. Pearce submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to furnish the Senate confidentially with all instructions given to James Gadsden, envoy extraordinary and minister plenipotentiary of the United States near the Mexican Government, under which he negotiated the treaty of the 30th Decem-

ber last, recently submitted to the Senate, and also the correspondence between the negotiators of the respective Governments touching the said treaty, and also all instructions, verbal or otherwise, given to any agent, and the name of such agent, and the report (if any) of such agent.

MONDAY, MARCH 20, 1854.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty between the United States of America and the Mexican Republic, concluded at the City of Mexico the 30th day of December, in the year of our Lord eighteen hundred and fifty-three; and

After debate,

On motion by Mr. Toucey,

The Senate adjourned.

WEDNESDAY, MARCH 22, 1854.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty between the United States and the Mexican Republic, concluded at the City of Mexico the 30th day of December, in the year of our Lord eighteen hundred and fifty-three; and,

On motion by Mr. Pettit,

The Senate adjourned.

THURSDAY, MARCH 23, 1854.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty between the United States of America and the Mexican Republic concluded at the City of Mexico the 30th day of December, in the year of our Lord, 1853; and

After debate,

On motion by Mr. Weller,

The Senate adjourned.

TUESDAY, MARCH 28, 1854.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty between the United States and the Mexican Republic, concluded at the City of Mexico the 30th day of December, in the year of our Lord 1853; and

After debate,

The Senate adjourned.

MONDAY, APRIL 3, 1854.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty between the United States of America and the Mexican Republic, concluded at the city of Mexico the 30th day of December, in the year of our Lord 1853; and

After debate,

On the question to agree to the first amendment reported from the Committee on Foreign Relations, to wit:

Article 1. After the word "lake," at the end of the first clause, insert:

Provided, That "the most northern part of the Gulf of California," mentioned in this article, shall be indicated by a parallel of latitude to be drawn at the

distance of one marine league south of the most southern point of the island called "Montague Island," as the same is laid down on the chart of "reconnaissance of the Colorado River" "by George H. Derby, Lieutenant, United States Topographical Engineers, December, 1850"; which chart, attested by the signature of the Secretary of State of the United States and bearing the seal of the Department of State of the United States, for the greater certainty, is hereto annexed.

The question was stated, Shall these words stand as a part of the article?

And it was determined in the affirmative, { Yeas----- 33
Nays----- 2

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Badger, Bell, Brown, Butler, Chase, Clay, Dodge of Wisconsin, Dodge of Iowa, Evans, Everett, Fessenden, Fitzpatrick, Foot, Geyer, Gwin, Johnson, Jones of Iowa, Jones of Tennessee, Mason, Morton, Rusk, Shields, Slidell, Stuart, Sumner, Thompson of Kentucky, Toucey, Wade, Walker, Williams, Wright.

Those who voted in the negative are,

Messrs. Adams and Pettit.

After debate,

On motion by Mr. Stuart,

The Senate adjourned.

TUESDAY, APRIL 4, 1854.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty between the United States of America and the Mexican Republic, concluded at the City of Mexico the 30th day of December, in the year of our Lord 1853; and

After debate,

Mr. Shields submitted the following amendment: To strike out from the first article the following words—

To a point distant two marine leagues to the north of the most northern part of the Gulf of California; thence in succession a right line to the intersection of the 31st parallel of latitude north with 111° longitude west of Greenwich, whence another right line to the 31° 47' 30" of north latitude, where the same will cross the boundary line descending the Rio Grande or Bravo del Norte, to the Gulf of Mexico, as defined in the 5th article of the treaty of Guadalupe. And it is agreed that should the line before described (from the intersection of the parallel 31° of latitude north with the meridian 111° west of Greenwich to its crossing the Rio Grande in latitude 31° 47' 30") traverse the Lake Gusman, said line shall be broken so as to form an angle at a point distant one marine league south of the most southern part of that lake: *Provided*, That "the most northern part of the Gulf of California," mentioned in this article, shall be indicated by a parallel of latitude, to be drawn at the distance of one marine league south of the most southern point of the island, called "Montague Island," as the same is laid down on the chart of "the reconnaissance of the Colorado River," by George H. Derby, Lieutenant United States Topographical Engineers, December, 1850," which chart, attested by the signature of the Secretary of State of the United States, and bearing the seal of the Department of State of the United States, for greater certainty is hereto annexed.

and insert the following in lieu thereof:

To the mouth of said river, and thence down the middle of the Gulf of California until it reaches a point in said gulf at the 31st parallel of north latitude, thence east along the 31st parallel of north latitude until it reaches the Rio Grande where that parallel of latitude strikes said river.

The question was then stated, Shall the words proposed to be stricken out stand as part of the article?

And it was determined in the negative, {Yeas----- 19
Nays----- 17

Those who voted in the affirmative are,
Messrs. Adams, Allen, Atchison, Bell, Bright, Brown, Butler, Clay,
Evans, Fitzpatrick, Hunter, Johnson, Mason, Rusk, Slidell, Thomson
of N. Jersey, Toucey, Williams, Wright.

Those who voted in the negative are,
Messrs. Badger, Chase, Clayton, Dixon, Everett, Fessenden, Geyer,
Gwin, James, Jones of Tennessee, Pettit, Shields, Stuart, Sumner,
Thompson of Kentucky, Walker, Weller.

So two-thirds not having voted to retain those words, they were
stricken out.

On motion by Mr. Weller that the treaty lie on the table,

It was determined in the negative, {Yeas----- 13
Nays----- 27

On motion by Mr. Shields,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Badger, Bright, Chase, Clayton, Everett, Fessenden, Foot,
James, Pettit, Shields, Sumner, Thompson of Kentucky, Walker.

Those who voted in the negative are,

Messrs. Adams, Allen, Atchison, Bell, Brown, Butler, Clay, Dixon,
Dodge of Wisconsin, Dodge of Iowa, Evans, Fitzpatrick, Geyer, Gwin,
Hunter, Johnson, Jones of Tennessee, Mason, Morton, Rusk, Slidell,
Stuart, Thomson of N. Jersey, Toucey, Weller, Williams, Wright.

So the motion was not agreed to.

The question was then stated, Shall the words proposed to be in-
serted in lieu of the words stricken out stand as part of the first article?

And it was determined in the negative, {Yeas----- 21
Nays----- 20

Those who voted in the affirmative are,

Messrs. Badger, Bright, Chase, Clayton, Dixon, Dodge of Wiscon-
sin, Dodge of Iowa, Everett, Fessenden, Foote, Geyer, Gwin, James,
Jones of Iowa, Jones of Tennessee, Pettit, Shields, Slidell, Stuart,
Thompson of Kentucky, Walker.

Those who voted in the negative are,

Messrs. Adams, Allen, Atchison, Bell, Brown, Butler, Clay, Evans,
Fitzpatrick, Hunter, Johnson, Mason, Morton, Rusk, Sumner, Thom-
son of N. Jersey, Toucey, Weller, Williams, Wright.

So two-thirds not having voted in the affirmative, those words were
not inserted.

On motion by Mr. Gwin,

The Senate adjourned.

WEDNESDAY, APRIL 5, 1854.

The Senate, as in Committee of the Whole, resumed the considera-
tion of the treaty between the United States of America and the Mexi-
can Republic, concluded at the city of Mexico the 30th day of Decem-
ber, in the year of our Lord 1853; and,

After debate,

Mr. Gwin submitted the following to be inserted in lieu of the
words stricken out of the first article on the motion of Mr. Shields the
4th instant:

To the mouth thereof, thence along the middle of the Gulf of California to the intersection of the 31° of north latitude, thence east with said parallel of latitude to its intersection with the 111° of longitude west of Greenwich, whence another right line to the 31° 47' 30" of north latitude, where the same will cross the boundary line descending the Río Grande or Bravo del Norte, to the Gulf of Mexico, as defined in the 5th article of the treaty of Guadalupe. And it is agreed that should the line before described (from the intersection of the parallel 31° of latitude north with the meridian 111° west of Greenwich, to its crossing the Río Grande in latitude 31° 47' 30") traverse the lake Guzman, said line shall be broken so as to form an angle at a point distant one marine league south of the most southern part of that lake.

The question was stated, Shall these words stand as part of the first article?

And it was determined in the negative, { Yeas ----- 12
Nays ----- 26

Those who voted in the affirmative are,

Messrs. Bayard, Bell, Bright, Dodge of Iowa, Everett, Geyer, Gwin, Jones of Iowa, Jones of Tennessee, Pettit, Shields, Weller.

Those who voted in the negative are,

Messrs. Adams, Allen, Atchison, Brown, Butler, Cass, Chase, Clay, Clayton, Dodge of Wisconsin, Evans, Fessenden, Fitzpatrick, Foot, Mason, Morton, Pearce, Rusk, Slidell, Stuart, Sumner, Thompson of Kentucky, Thomson of New Jersey, Toucey, Williams, Wright.

So, two-thirds not having voted in the affirmative, those words were not inserted.

On motion by Mr. Weller that the vote striking out the words of the first article on the motion of Mr. Shields, on the 4th instant, be reconsidered,

It was determined in the affirmative, { Yeas ----- 23
Nays ----- 15

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Adams, Allen, Atchison, Bell, Bright, Brown, Butler, Cass, Clay, Dodge of Wisconsin, Evans, Fitzpatrick, Johnson, Jones of Tennessee, Mason, Morton, Rusk, Slidell, Thomson of New Jersey, Toucey, Weller, Williams, Wright.

Those who voted in the negative are,

Messrs. Bayard, Chase, Clayton, Dodge of Iowa, Everett, Fessenden, Foot, Geyer, Jones of Iowa, Pearce, Pettit, Shields, Stuart, Sumner, Thompson of Kentucky.

So the motion to reconsider was agreed to.

The question was then again stated, Shall the words proposed to be stricken out stand as part of the article?

And it was determined in the negative, { Yeas ----- 22
Nays ----- 16

Those who voted in the affirmative are,

Messrs. Adams, Allen, Atchison, Bell, Brown, Butler, Clay, Dodge of Wisconsin, Evans, Fitzpatrick, Hunter, Johnson, Jones of Tennessee, Mason, Morton, Rusk, Slidell, Thomson of New Jersey, Toucey, Weller, Williams, Wright.

Those who voted in the negative are,

Messrs. Badger, Bayard, Chase, Clayton, Dodge of Iowa, Everett, Fessenden, Foot, Geyer, Jones of Iowa, Pearce, Pettit, Shields, Stuart, Sumner, Thompson of Kentucky.

So, two-thirds not having voted to retain those words, they were stricken out.

On motion by Mr. Mason,
The Senate adjourned.

THURSDAY, APRIL 6, 1854.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty between the United States of America and the Mexican Republic, concluded at the City of Mexico the 30th day of December, in the year of our Lord 1853; and,

After debate,

On motion by Mr. Jones of Tennessee, that the treaty lie on the table,

It was determined in the negative, { Yeas----- 18
Nays----- 19

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Adams, Atchison, Badger, Bright, Chase, Clayton, Everett, Fessenden, Foot, Jones of Tennessee, Pearce, Pettit, Shields, Stuart, Sumner, Thompson of Kentucky, Thomson of N. Jersey, Walker.

Those who voted in the negative are,

Messrs. Allen, Bell, Brown, Butler, Clay, Dodge of Wisconsin, Dodge of Iowa, Evans, Fitzpatrick, Geyer, Gwin, Johnson, Jones of Iowa, Mason, Morton, Sebastian, Toucey, Williams, Wright.

So the motion was not agreed to.

MONDAY, APRIL 10, 1854.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty between the United States of America and the Mexican Republic, concluded at the City of Mexico, the 30th day of December, in the year of our Lord eighteen hundred and fifty-three; and,

After debate,

Mr. Rusk submitted the following amendment thereto:

Strike out from the word "shall," in line five, the remaining words in the first clause of the first article, as follows, to wit: "Proceed from the point where the aforesaid line intersects the river Colorado, along the middle of the deepest channel of this river to,"

And insert the following after the said word "shall": *be as follows: Beginning at the point on the Rio Grande where the parallel of 31 degrees 47 minutes of north latitude crosses the same; thence west one hundred and fifty miles; from whence a right line shall be run due south thirty miles; from whence a straight line shall be run due west until it reaches the Rio Colorado or Gulf of California; thence up the middle of the said gulf and Colorado River until it intersects the present boundary line between the United States and Mexico.*

Mr. Gwin submitted the following amendment to the said amendment, to wit:

Strike out all after the words "be as follows," and insert the following in lieu thereof:

Beginning at the point on the Rio Grande where the parallel of 31 degrees 47 minutes 30 seconds of north latitude crosses the same; thence running west one hundred and fifty miles; thence due south thirty miles; thence westerly in a

straight line until it reaches the Gulf of California one marine league south of the most southern portion of the Bay of Adair, and to the middle of said gulf; and thence up the middle of the said gulf and the Colorado River until it intersects the present boundary line between the United States and Mexico.

The question then arose upon that part of the amendment of Mr. Rusk for striking out the words mentioned.

The question was stated, Shall these words stand as part of the first article? and

It was unanimously determined in the negative.

So these words were stricken out.

The question was then stated, Shall the words proposed by Mr. Gwin to be inserted stand as part of the article?

And it was determined in the negative, { Yes----- 18
Nays----- 26

Those who voted in the affirmative are,

Messrs. Badger, Bayard, Bell, Dodge of Wisconsin, Douglas, Everett, Fish, Fitzpatrick, Foot, Geyer, Gwin, Pearce, Pettit, Pratt, Seward, Shields, Walker, Weller.

Those who voted in the negative are.

Messrs. Adams, Allen, Atchison, Bright, Brown, Cass, Chase, Clay, Clayton, Dixon, Dodge of Iowa, Evans, Hunter, Johnson, Jones, Mason, Morton, Rusk, Sebastian, Slidell, Smith, Stuart, Sumner, Thompson, Williams, Wright.

So two-thirds not having voted to insert those words, they were not inserted.

The question was then stated, Shall the words proposed by Mr. Rusk to be inserted stand as part of the first article?

And it was determined in the affirmative, { Yeas----- 32
Nays----- 14

Those who voted in the affirmative are,

Messrs. Adams, Allen, Atchison, Bell, Brown, Cass, Clay, Clayton, Dodge of Wisconsin, Dodge of Iowa, Douglas, Evans, Everett, Fitzpatrick, Geyer, Hunter, James, Johnson, Jones of Iowa, Mason, Morton, Pearce, Pratt, Rusk, Sebastian, Seward, Slidell, Smith, Thompson of Kentucky, Toucey, Williams, Wright.

Those who voted in the negative are,

Messrs. Badger, Bayard, Bright, Chase, Fessenden, Fish, Foot, Gwin, Pettit, Shields, Stuart, Sumner, Walker, Weller.

So two-thirds having voted to insert those words, they were inserted.

On motion by Mr. Badger,

The Senate adjourned.

WEDNESDAY, APRIL 12, 1854.

The Senate resumed, as in Committee of the Whole, the treaty between the United States of America and the Mexican Republic, concluded at the City of Mexico, the 30th day of December, in the year of our Lord 1853; and

After debate,

On motion by Mr. Rusk that the vote on agreeing to his amendment of the 10th instant to insert certain words in the first article of the treaty be reconsidered,

It was unanimously determined in the affirmative.

On motion by Mr. Rusk, and by unanimous consent,

Ordered, That Mr. Rusk have leave to withdraw his said amendment.

Mr. Rusk submitted the following amendment:

Insert the following in the first section in lieu of the words stricken out: *be as follows: Beginning at the point of the Rio Grande, where the parallel 31° 47' of north latitude crosses the same, thence due west one hundred miles, thence south twenty English miles, thence west to 111th meridian of longitude west from Greenwich, thence in a straight line to a point on the Colorado River twenty English miles below the junction of the Gila and Colorado Rivers, thence up the middle of the said river Colorado until it intersects the present line between the United States and Mexico.*

The question was stated, Shall these words stand as part of the first article?

And it was determined in the affirmative. { Yeas ----- 30
Nays ----- 13

Those who voted in the affirmative are,

Messrs. Adams, Allen, Atchison, Bell, Bright, Brown, Clay, Clayton, Dodge of Wisconsin, Dodge of Iowa, Douglas, Evans, Everett, Fitzpatrick, Hunter, James, Johnson, Jones of Iowa, Mason, Morton, Pratt, Rusk, Sebastian, Seward, Slidell, Smith, Toucey, Weller, Williams, Wright.

Those who voted in the negative are,

Messrs. Bayard, Chase, Fessenden, Fish, Foot, Geyer, Gwin, Pettit, Shields, Stuart, Sumner, Thompson of Kentucky, Walker.

So two-thirds having voted to insert those words they were inserted.

On motion by Mr. Rusk to strike out the second article of the treaty in the following words:

"ARTICLE II.—With the like desire to maintain the most perfect peace and friendly relations between both countries, it has been agreed that, to remove all occasion of dispute on account of reclamations to the present date founded on alleged Indian incursions, and to avoid all contest upon the true spirit and intention of the obligation stipulated in the eleven article of the treaty of Guadalupe, the same has been and is hereby abolished and annulled. The Government of the United States agrees, notwithstanding this abrogation and annulment, to provide such additional laws and regulations as the subject may in good faith require, making it a highly penal offense on the part of any inhabitant of the United States, or the Territories thereof, to purchase or receive horses, mules, cattle, or property of any kind, knowing the same to have been stolen within the limits of Mexican territory by Indians, or by any other persons; and furthermore, agrees to return, on demand, to their legitimate owners what may have been recovered by the authorities of the United States. And in the event of any person or persons captured upon Mexican territory being carried within the boundaries of the United States, the Government of the latter engages to use every fair and reasonable means that the nature and circumstances of the case will admit to rescue and return such captives to their own country, or deliver them to an agent or representative of the Mexican Government, requiring simply the repayment to the officer or agent of the United States, who may so deliver or return them, the expenses incurred in the maintenance and transmission of the rescued captives. Finally, the Government of the United States promises that on any occasion she may have to remove the Indians from any part of her territory, or to settle thereupon her own citizens, especial care shall be taken not to place said Indians under necessity of seeking new homes by means of incursions into the Mexican territory."

The question was stated, Will the Senate advise and consent to the ratification of this article?

And it was determined in the negative, nays 41.

Those who voted are,

Messrs. Adams, Allen, Atchison, Bayard, Bell, Bright, Brown, Chase, Clay, Clayton, Dodge of Wisconsin, Dodge of Iowa, Everett,

So two-thirds not having voted for the ratification of this article, it was stricken out of the treaty.

Insert the following as Article II in lieu of Article II stricken out:

The question was stated, Will the Senate advise and consent to the ratification of this article?

Those who voted in the affirmative are,
Messrs. Adams, Allen, Atchison, Bayard, Bell, Bright, Brown,
Clay, Clayton, Dodge of Wisconsin, Dodge of Iowa, Douglas, Evans,
Everett, Fessenden, Fish, Fitzpatrick, Foot, Geyer, Gwin, Hunter,
James, Johnson, Jones of Iowa, Mason, Morton, Pratt, Rusk, Sebastian,
Seward, Shields, Slidell, Smith, Stuart, Toucey, Walker, Weller,
Williams, Wright.

Messrs. Chase, Pettit, Sumner.

On motion by Mr. Rusk to strike out articles 3 and 4 of the treaty as follows:

“The United States also agree to assume all the claims of their citizens of whatever right, title, or foundation which may have arisen since the date of the signature of the treaty of Guadalupe, or which may not have been provided for therein, or of any corporation, company or citizen of the same, including the claim of the so-called concession to Garay, whose lawful existence Mexico does not recognize, even as implied, thus extinguishing this among the other claims of citizens of United States against the Republic of Mexico, said United States obliging themselves not to make any payment on account of the so-called concession to Garay, without having previously delivered to the agent of the Mexican Government, accredited at Washington, all the evidence and documents used by the holders of said concession in establishing their rights and claims legally relinquished in favor of Mexico by such holders and claimants; and it is agreed in the reciprocal release of obligations that the Mexican Republic exonerates the United States of America from all claims of Mexico or Mexican citizens which may have arisen since the date of the treaty of Guadalupe, so that each Government, in the most formal and effective manner, shall be exempted and exonerated of all obligations to each other respectively; whether of themselves or in behalf of their respective citizens up to the date of the signature of the present treaty.

"ARTICLE IV.—The Government of the United States shall organize a board of commissioners, which shall meet in the city of Washington or of Mexico, as the President of the United States may direct, within one year from the date of the exchange of the ratifications of this treaty, for the purpose of examining and deciding the claims assumed by the United States in the preceding article, according to the principles of justice, the law of nations, and the treaty in force between the two Governments, and whose awards shall be final and conclusive, and the United States, exonerating Mexico from all demands on account of the claims of their citizens mentioned in the preceding article, and considering them entirely and forever canceled, whatever their amount, undertake to make satisfaction for the same, in a sum not exceeding five millions of dollars. And if, for the purpose of discharging their duties, the board of commissioners should meet in the capital of the Mexican Republic, the Government of the same will afford all necessary protection for the continued pacific exercise of its functions, and will extend every facility in the furnishing to the commissioners and claimants all such documents establishing their rights as they might require, and which may be within the extent of its reach to supply."

The question was stated, Will the Senate advise and consent to the ratification of these articles? and

It was unanimously determined in the negative.

So the said articles were stricken from the treaty.

Mr. Rusk submitted the following amendment:

Insert the following as Article III:

ARTICLE III. *In consideration of the foregoing stipulations the Government of the United States agrees to pay to the Government of Mexico, in the city of New York, the sum of seven millions of dollars, five millions of which shall be paid immediately upon the exchange of the ratifications of this treaty, and the remaining two millions as soon as the boundary line shall be surveyed, marked, and established.*

The question was stated, Will the Senate advise and consent to the ratification of this article?

And it was determined in the affirmative, { Yeas----- 80
Nays----- 13

Those who voted in the affirmative are,

Messrs. Adams, Allen, Atchison, Brown, Clay, Clayton, Dodge of Wisconsin, Dodge of Iowa, Douglas, Evans, Everett, Fitzpatrick, Geyer, Gwin, Hunter, James, Johnson, Jones of Iowa, Mason, Morton, Pratt, Rusk, Sebastian, Slidell, Thompson of Kentucky, Toucey, Walker, Weller, Williams, Wright.

Those who voted in the negative are,

Messrs. Bayard, Bell, Bright, Chase, Fessenden, Fish, Foot, Pettit, Seward, Shields, Smith, Stuart, Sumner.

So two-thirds having voted in favor of the ratification of this article, it was inserted in the treaty.

On motion by Mr. Gwin to strike out the eighth article of the treaty, as follows:

"ARTICLE VIII.—The two high contracting powers, fully impressed that under the auspices of peace, and upon the basis of mutual good faith and of the respect which nations reciprocally owe, it is that their prosperity and well-being increase, especially when from vicinity their interests grow to be mingled and identified; and recognizing the reciprocal obligations of civilized Governments and the acknowledged provisions of the laws of nations, agree by the present, in proof of that entire confidence which they mutually entertain, and of that friendship which they desire to be as perfect, unalterable, and complete as possible; that whenever the tranquillity and interior repose of either country shall be threatened or disturbed by unlawful invasions of any of the citizens or subjects of either power against the territory of the other, respectively, they will cheerfully co-operate in their endeavors to suppress all such attempts. They mutually and especially obligate themselves in all cases of

such lawless enterprise which may not have been prevented through the civil authorities before formation, to aid with the naval and military forces, on due notice being given by the aggrieved party of the aggressions of the citizens and subjects of the other, so that the lawless adventurers may be pursued and overtaken on the high seas, their elements of war destroyed, and the deluded captives held responsible in their persons, and meet with the merited retribution inflicted by the laws of nations against all such disturbers of the peace and happiness of contiguous and friendly powers. It being understood that in all cases of successful pursuit and capture, the delinquents so captured shall be judged and punished by the Government of that nation to which the vessel capturing them may belong conformably to the laws of each nation."

The question was stated, Will the Senate advise and consent to the ratification of this article?

And it was determined in the negative, { Yeas ----- 22
Nays ----- 16

Those who voted in the affirmative are,

Messrs. Adams, Bright, Clayton, Evans, Everett, Fessenden, Fitzpatrick, Foot, Geyer, Hunter, Johnson, Mason, Morton, Pettit, Pratt, Rusk, Seward, Slidell, Thompson of Kentucky, Toucey, Williams, Wright.

Those who voted in the negative are,

Messrs. Allen, Atchison, Bayard, Bell, Brown, Clay, Dodge of Wisconsin, Dodge of Iowa, Douglas, Fish, Gwin, Jones of Iowa, Shields, Stuart, Walker, Weller.

So two-thirds not having voted to retain, this article is stricken out.

On motion by Mr. Gwin to strike out the ninth article of the treaty as follows:

"ARTICLE IX.—Should there at any future period (which God forbid) occur any disagreements between the two nations which might lead to a rupture of their relations and reciprocal peace, they bind themselves in like manner to procure by every possible method the adjustment of every difference; and should they still in this manner not succeed, never will they proceed to a declaration of war without having previously paid attention to what has been set forth in article twenty-one of the treaty of Guadalupe for similar cases; which article, as well as the twenty-second, is here reaffixed."

The question was stated, Will the Senate advise and consent to the ratification of this article?

And it was determined in the affirmative, { Yeas ----- 25
Nays ----- 10

Those who voted in the affirmative are,

Messrs. Adams, Allen, Bell, Bright, Clayton, Dodge of Wisconsin, Dodge of Iowa, Evans, Everett, Fessenden, Fish, Foot, James, Jones, Mason, Morton, Pettit, Pratt, Rusk, Seward, Shields, Smith, Thompson of Kentucky, Williams, Wright.

Those who voted in the negative are,

Messrs. Atchison, Bayard, Brown, Clay, Fitzpatrick, Johnson, Slidell, Stuart, Walker, Weller.

So two-thirds having voted for the ratification of this article, it was not stricken out.

On motion by Mr. Bright,

The Senate adjourned.

THURSDAY, APRIL 13, 1854.

The Senate resumed, as in Committee of the Whole, the treaty between the United States of America and the Mexican Republic, con-

cluded at the city of Mexico the 30th day of December, in the year of our Lord 1853; and

After debate,

On motion the Senate adjourned.

MONDAY, APRIL 17, 1854.

The Senate resumed, as in Committee of the Whole, the treaty between the United States of America and the Mexican Republic, concluded at the city of Mexico the thirtieth December, in the year of our Lord 1853; and

After debate,

Mr. Bell submitted the following amendment:

Add the following as a new article:

ARTICLE X.—*The Mexican Government having entered into a contract with the mixed company of A. G. Sloo and others, on the 5th day of February, 1853, for the early construction of a plank and railroad across the Isthmus of Tehuantepec, and to secure the stable benefits of said transit way to the persons and merchandise of the citizens of Mexico and the United States, it is stipulated that neither Government will interpose any obstacle to the transit of persons and merchandise of both nations; and at no time shall higher charges be made on the transit of persons and property of citizens of the United States than may be made on the persons and property of other foreign nations, nor shall any interest in said transit way, nor in the proceeds thereof, be transferred to any foreign Government.*

The transit company shall have the power to transport across the Isthmus, in closed bags, the mails of the United States not intended for distribution along the line of communication; also the effects of the United States Government and its citizens, which may be intended for transit and not for distribution on the Isthmus, free of custom-house or other charges by the Mexican Government. Neither passports nor letters of security will be required of persons crossing the Isthmus and not remaining in the country.

When the said company shall have completed the construction of the railroad the Mexican Government agrees to open a port of entry, in addition to the port of Vera Cruz, at or near the mouth of the Coatzacoalcos River.

The two Governments will enter into arrangements for the prompt transit of troops and munitions of the United States which that Government may have occasion to send from one part of its territory to another lying on opposite sides of the continent.

The Mexican Government having agreed in its contract with the beforementioned company to protect with its whole power the prosecution, preservation, and security of the work, the United States may extend its protection as it shall judge wise to the company, in the construction and completion of the road and the enjoyment of their privileges when it may feel sanctioned and warranted by the public or international law.

This question was stated, Will the Senate advise and consent to the ratification of this article?

And it was determined in the negative, { Yeas-----22
Nays-----17

Those who voted in the affirmative are,

Messrs. Bell, Brodhead, Clay, Clayton, Douglas, Fitzpatrick, Foot, Geyer, Gwin, James, Jones of Iowa, Rusk, Sebastian, Seward, Slidell, Smith, Thompson of Kentucky, Thomson of New Jersey, Toombs, Walker, Weller, Wright.

Those who voted in the negative are,

Messrs. Adams, Allen, Atchison, Brown, Cass, Chase, Dodge of Wisconsin, Dodge of Iowa, Evans, Everett, Fish, Hamlin, Mason, Pettit, Shields, Stuart, Sumner.

So, two-thirds not voting in the affirmative, the amendment was not agreed to.

No further amendment being proposed, the treaty was reported to the Senate.

Mr. Fish submitted the following amendment:

In the first article as amended, strike out the words "at the point on the Rio Grande," and insert in lieu thereof the following words; in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, as provided in the fifth article of the treaty of Guadalupe-Hidalgo; thence, as defined in the said article, up the middle of that river to the point.

The question was stated, Shall the words proposed to be stricken out stand as part of the article?

And it was unanimously determined in the negative.

The question was stated, Shall the words proposed to be inserted stand as part of the article?

And it was unanimously determined in the affirmative.

On motion by Mr. Weller to agree to all the amendments made in Committee of the Whole, with the exception of those made to the first article, and of the new article agreed to as Article III,

The question, by unanimous consent, was stated, Will the Senate advise and consent to all the amendments made in Committee of the Whole to this treaty, with the exception of the first article and third new articles as above stated?

And it was determined in the affirmative, { Yeas----- 41
Nays----- 4

Those who voted in the affirmative are,

Messrs. Adams, Allen, Atchison, Bayard, Bright, Brodhead, Brown, Butler, Cass, Clay, Clayton, Dodge of Wisconsin, Dodge of Iowa, Douglas, Evans, Everett, Fessenden, Fish, Fitzpatrick, Foot, Geyer, Gwin, Hamlin, James, Johnson, Jones of Iowa, Mallory, Mason, Morton, Rusk, Sebastian, Seward, Shields, Slidell, Smith, Thompson of Kentucky, Thomson of New Jersey, Toombs, Walker, Weller, Wright.

Those who voted in the negative are,

Messrs. Chase, Pettit, Stuart, Sumner.

So, two-thirds having voted in the affirmative, the amendments as stated were agreed to.

On the question to agree to the amendments made to the first article,

The question was stated, Shall the words stricken out of the first article in Committee of the Whole stand as part of that article?

And it was unanimously determined in the negative.

The question was then stated, Shall the following words, proposed to be inserted in lieu of the words stricken out, stand as part of the first article?

be as follows: Beginning on the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, as provided in the fifth article of the treaty of Guadalupe-Hidalgo; thence, as defined in the said article, up the middle of that river to the point where the parallel of thirty-one degrees and forty-seven minutes north latitude crosses the same; thence due west one hundred miles; thence south twenty English miles; thence west to the one hundred and eleventh meridian of longitude west from Greenwich; thence in a straight line to a point on the Colorado River twenty English miles below the junction of the Gila and Colorado Rivers; thence up the middle of the said river Colorado until it intersects the present line between the United States and Mexico.

And it was determined in the affirmative, { Yeas----- 34
Nays----- 11

Those who voted in the affirmative are,
Messrs. Adams, Allen, Atchison, Bayard, Bell, Bright, Brodhead, Brown, Cass, Clay, Dodge of Wisconsin, Dodge of Iowa, Douglas, Evans, Everett, Fessenden, Fitzpatrick, Hamlin, Johnson, Jones of Iowa, Mallory, Mason, Morton, Rusk, Sebastian, Seward, Slidell, Smith, Thompson of Kentucky, Thomson of N. Jersey, Toombs, Weller, Wright.

Those who voted in the negative are,
Messrs. Butler, Chase, Fish, Foot, Geyer, Gwin, Pettit, Shields, Stuart, Sumner, Walker.

So, two-thirds having voted in the affirmative, those words were inserted in the first article.

On motion by Mr. Gwin to amend the new third article as agreed to in Committee of the Whole, by striking out the words "seven millions" and inserting *ten millions* in lieu thereof,

The question was stated, Shall the words proposed to be stricken out stand as part of the article?

And it was determined in the affirmative, { Yeas----- 34
 { Nays----- 12

Those who voted in the affirmative are,
Messrs. Adams, Allen, Bayard, Bright, Brodhead, Brown, Butler, Cass, Clayton, Dodge, of Wisconsin, Dodge, of Iowa, Douglas, Evans, Everett, Fessenden, Fitzpatrick, Foot, Geyer, Hamlin, Johnson, Jones, of Iowa, Mason, Morton, Rusk, Sebastian, Slidell, Smith, Thompson of Kentucky, Thomson of N. Jersey, Toombs, Wade, Walker, Weller, Wright.

Those who voted in the negative are,
Messrs. Atchison, Bell, Chase, Clay, Fish, Gwin, Mallory, Pettit, Seward, Shields, Stuart, Sumner.

So, two-thirds having voted to retain those words, they were not stricken out.

On motion by Mr. Bayard to amend the said new third section by striking out the words "five millions" and the words "two millions" and inserting in lieu of each the words *one-half*,

The question was stated, Shall the words proposed to be stricken out stand as part of the article?

And it was determined in the negative, { Yeas----- 34
 { Nays----- 13

Those who voted in the affirmative are,
Messrs. Adams, Allen, Atchison, Bell, Bright, Cass, Clay, Dodge of Wisconsin, Dodge, of Iowa, Douglas, Evans, Everett, Fessenden, Fitzpatrick, Gwin, Hamlin, James, Johnson, Jones, of Iowa, Mallory, Mason, Morton, Pettit, Rusk, Sebastian, Seward, Slidell, Smith, Thompson of Kentucky, Thomson of N. Jersey, Toombs, Wade, Weller, Wright.

Those who voted in the negative are,
Messrs. Bayard, Broadhead, Brown, Butler, Chase, Clayton, Fish, Foot, Geyer, Shields, Stuart, Sumner, Walker.

So, two-thirds having voted to retain those words, they were not stricken out.

On the question to agree to the new third article adopted in Committee of the Whole,

The question was stated, Will the Senate advise and consent to the ratification of this article? as follows:

ARTICLE III.—In consideration of the foregoing stipulations, the Government of the United States agrees to pay to the Government of Mexico, in the city of New York, the sum of seven millions of dollars, five millions of which shall be paid immediately upon the exchange of the ratifications of this treaty, and the remaining two millions as soon as the boundary line shall be surveyed, marked, and established,

It was determined in the affirmative, { Yeas----- 35
Nays----- 9

Those who voted in the affirmative are,

Messrs. Adams, Allen, Atchison, Bell, Bright, Brown, Cass, Clay, Clayton, Dodge, of Wisconsin, Dodge, of Iowa, Douglas, Evans, Everett, Fessenden, Fish, Fitzpatrick, Geyer, James, Johnson, Jones, of Iowa, Mallory, Mason, Morton, Rusk, Sebastian, Slidell, Smith, Thompson of Kentucky, Thomson of N. Jersey, Toombs, Wade, Walker, Weller, Wright.

Those who voted in the negative are,

Messrs. Bayard, Butler, Chase, Foot, Pettit, Seward, Shields, Stuart, Sumner.

So, two-thirds having voted in the affirmative, the said third article was agreed to.

Mr. Bell submitted the following amendment:

Add the following as a new article:

ARTICLE 9.—*The Mexican Government having authorized the early construction of a plank and rail road across the Isthmus of Tehuantepec, and to secure the stable benefits of said transit way to the persons and merchandise of the citizens of Mexico and the United States it is stipulated that neither Government will interpose any obstacle to the transit of persons and merchandise of both nations, and at no time shall higher charges be made on the transit of persons and property of citizens of the United States than may be made on the persons and property of other foreign nations, nor shall any interest in said transit way, nor in the proceeds thereof, be transferred to any foreign government.*

The United States, by its agents, shall have the right to transport across the Isthmus, in closed bags, the mails of the United States not intended for distribution along the line of communication; also the effects of the United States Government and its citizens, which may be intended for transit and not for distribution on the Isthmus, free of custom-house or other charges by the Mexican Government. Neither passports nor letters of security will be required of persons crossing the Isthmus and not remaining in the country.

When the construction of the railroad shall be completed the Mexican Government agrees to open a port of entry in addition to the port of Vera Cruz, at or near the mouth of the Coatzacoalcas River.

The two Governments will enter into arrangements for the prompt transit of troops and munitions of the United States which that Government may have occasion to send from one part of its territory to another, lying on opposite sides of the continent.

The Mexican Government having agreed to protect with its whole power the prosecution, preservation, and security of the work, the United States may extend its protection, as it shall judge wise, to it, when it may feel sanctioned and warranted by the public or international law.

The question was stated, Will the Senate advise and consent to the ratification of this article?

And it was determined in the negative, { Yeas----- 28
Nays----- 18

Those who voted in the affirmative are:

Messrs. Bayard, Bell, Brodhead, Brown, Clay, Clayton, Douglas, Fitzpatrick, Foot, Geyer, Gwin, James, Johnson, Jones of Iowa, Mal-

lory, Morton, Rusk, Sebastian, Seward, Slidell, Smith, Thompson of Kentucky, Thomson of New Jersey, Toombs, Wade, Walker, Weller, Wright.

Those who voted in the negative are,

Messrs. Adams, Allen, Atchison, Bright, Butler, Cass, Chase, Dodge of Wisconsin, Dodge of Iowa, Evans, Everett, Fish, Hamlin, Mason, Pettit, Shields, Stuart, Sumner.

So, two-thirds not having voted in the affirmative, the amendment was not agreed to.

Mr. Mason submitted the following amendment:

Article 10. Strike out the words "four months" and insert *six months*.

The question was stated, Shall the words proposed to be stricken out stand as part of the article?

And it was unanimously determined in the negative.

The question was then stated, Shall the words proposed to be inserted stand as part of the article?

And it was unanimously determined in the affirmative.

Mr. Mason submitted the following resolution:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States of America and the Mexican Republic, concluded at the City of Mexico the thirtieth day of December, in the year of our Lord eighteen hundred and fifty-three, with the following amendments:

Article 1. Strike out the following words: "proceed from the point where the aforesaid line intersects the river Co'rado, along the middle of the deepest channel of this river, to a point distant two marine leagues to the north of the most northern part of the Gulf of California; thence in succession a right line to the intersection of the 31st parallel of latitude north, with 111° longitude west of Greenwich, whence another right line to the 31° 47' 30" of north latitude, where the same will cross the boundary line, descending the Rio Grande or Bravo del Norte, to the Gulf of Mexico as defined in the 5th article of the treaty of Guadalupe. And it is agreed that should the line before described (from the intersection of the parallel 31° of latitude north with the meridian 111° west of Greenwich to its crossing the Rio Grande, in latitude 31° 47' 30") traverse the Lake Guzman, said line shall be broken so as to form an angle at a point distant one marine league south of the most southern part of the lake."

Article 1. Insert the following in lieu of the words stricken out: *be as follows: Beginning in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, as provided in the fifth article of the treaty of Guadalupe-Hidalgo; thence, as defined in the said article, up the middle of that river to the point where the parallel of thirty-one degrees, forty-seven minutes north latitude crosses the same; thence due west one hundred miles; thence south twenty English miles; thence west to the one hundred and eleventh meridian of longitude west from Greenwich; thence in a straight line to a point on the Colorado River twenty English miles below the junction of the Gila and Colorado Rivers; thence up the middle of the said river Colorado until it intersects the present line between the United States and Mexico.*

Article 2. Strike out the same, as follows:

"ARTICLE II. With the like desire to maintain the most perfect peace and friendly relations between both countries, it has been agreed that to remove all occasion of dispute on account of reclamations to the present date, founded on alleged Indian incursions, and to avoid all contests upon the true spirit and intention of the obligation stipulated in the eleventh article of the treaty of Guadalupe, the same has been, and is hereby, abolished and annulled. The Government of the United States agrees, notwithstanding this abrogation and annulment, to provide such additional laws and regulations as the subject may in good faith require, making it a highly penal offense on the part of any inhabitant of the United States or the territories thereof to purchase or receive horses, mules, cattle, or property of any kind knowing the same to have been stolen within the limits of Mexican territory by Indians or by any other persons, and, furthermore, agrees to return, on demand, to their legitimate owners what

may have been thus stolen, so soon as the same shall have been recovered by the authorities of the United States. And in the event of any person or persons captured upon Mexican territory being carried within the boundaries of the United States, the Government of the latter engages to use every fair and reasonable means that the nature and circumstances of the case will admit to rescue and return such captives to their own country, or deliver them to an agent or representative of the Mexican Government, requiring simply the repayment to the officer or agent of the United States who may so deliver or return them the expenses incurred in maintenance and transmission of the rescued captives. Finally, the Government of the United States promises that on any occasion she may have to remove the Indians from any point of her territory or to settle thereupon her own citizens, especial care shall be taken not to place said Indians under necessity of seeking new homes by means of incursions into the Mexican territory."

Article 2. Insert the following as Article 2:

ARTICLE 2. The Government of Mexico hereby releases the United States from all liability on account of the obligations contained in the eleventh article of the treaty of Guadalupe-Hidalgo, and the said article, and the thirty-third article of the treaty of amity, commerce, and navigation between the United States of America and the United Mexican States, concluded at Mexico on the fifth day of April, eighteen hundred and thirty-one, are hereby abrogated.

Article 3. Strike out the same, as follows:

"ARTICLE III. In consideration of the grants received by the United States, and the obligations relinquished by the Mexican Republic, pursuant to this treaty, the former agree to pay to the latter the sum of fifteen millions of dollars in gold or silver coin at the Treasury at Washington, one-fifth of the amount on the exchange of ratifications or present treaty at Washington and the remaining four-fifths in monthly installments of three millions each, with interest at the rate of six per cent. per annum until the whole be paid, the Government of the United States reserving the right to pay up the whole sum of fifteen millions at earlier date, as may be to her convenient.

"The United States also agree to assume all the claims of their citizens of whatever right, title or foundation which may have arisen since the date of the signature of the treaty of Guadalupe, or which may not have been provided for therein, or of any corporation, company or citizen of the same, including the so-called concession to Garay, whose lawful existence Mexico does not recognize, even as implied; thus extinguishing this among the other claims of citizens of the United States against the Republic of Mexico, said United States obliging themselves not to make any payment on account of the so-called concession to Garay, without having previously delivered to the agent of the Mexican Government accredited at Washington all the evidence and documents used by the holders of said concession in establishing their rights and claims legally relinquished in favor of Mexico by such holders and claimants; and it is agreed in the reciprocal release of obligations that the Mexican Republic exonerates the United States of America from all claims of Mexico or Mexican citizens which may have arisen since the date of the treaty of Guadalupe, so that each Government, in the most formal and effective manner, shall be exempted and exonerated of all obligations to each other respectively, whether of themselves or in behalf of their respective citizens up to the date of the signature of the present treaty."

Article 3. Insert the following as article 3:

ARTICLE 3. In consideration of the foregoing stipulations, the Government of the United States agree to pay to the Government of Mexico, in the city of New York, the sum of seven millions of dollars, five millions of which shall be paid immediately upon the exchange of the ratifications of this treaty, and the remaining two millions as soon as the boundary line shall be surveyed, marked, and established.

Article 4. Strike out the same as follows:

"ARTICLE IV.—The Government of the United States shall organize a board of commissioners, which shall meet in the city of Washington or of Mexico, as the President of the United States may direct, within one year from the date of the exchange of the ratifications of this treaty for the purpose of examining and deciding the claims assumed by the United States in the preceding article, according to the principles of justice, the law of nations, and the treaty in force between the two Governments, and whose awards shall be final and conclusive, and the United States, exonerating Mexico from all demands on account of the claims of their citizens mentioned in the preceding article, and considering

them entirely and forever canceled, whatever their amount, undertake to make satisfaction for the same in a sum not exceeding five millions of dollars. And if, for the purpose of discharging their duties, the board of commissioners should meet in the capital of the Mexican Republic, the Government of the same will afford all necessary protection for the continued pacific exercise of its functions, and will extend every facility in the furnishing to the commissioners and claimants all such documents establishing their rights as they might require, and which may be within the extent of its reach to supply."

Change "Article 5" to *Article 4*.

Change "Article 6" to *Article 5*.

Change "Article 7" to *Article 6*.

Article 8. Strike out the same as follows:

"Article VIII.—The two high contracting powers, fully impressed that under the auspices of peace, and upon the basis of mutual good faith, and of the respect which nations reciprocally owe, it is that their prosperity and well-being increase, especially when from vicinity their interests grow to be mingled and identified; and recognizing the reciprocal obligations of civilized Governments, and the acknowledged provisions of the laws of nations, agree by the present, in proof of that entire confidence which they mutually entertain, and of that friendship which they desire to be as perfect, unalterable, and complete as possible; that whenever the tranquillity and interior repose of either country shall be threatened or disturbed by unlawful invasions of any of the citizens or subjects of either power against the territory of the other, respectively, they will cheerfully co-operate in their endeavors to suppress all such attempts. They mutually and especially obligate themselves in all cases of such lawless enterprises which may not have been prevented through the civil authorities before formation, to aid with the naval and military forces, on due notice being given by the aggrieved party of the aggressions of the citizens and subjects of the other, so that the lawless adventurers may be pursued and overtaken on the high seas, their elements of war destroyed, and the deluded captives held responsible in their persons, and meet with the merited retribution inflicted by the laws of nations against all such disturbers of the peace and happiness of contiguous and friendly powers. It being understood that in all cases of successful pursuit and capture, the delinquents so captured shall be judged and punished by the Government of that nation to which the vessel capturing them may belong, conformably to the laws of each nation."

Change "Article 9" to *Article 7*.

Change "Article 10" to *Article 8*.

In said Article 8, strike out "four months," and insert *six months*.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined in the negative,	{ Yeas-----	27
	{ Nays-----	18

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Bell, Bright, Brodhead, Brown, Cass, Clay, Clayton, Dodge of Wisconsin, Dodge of Iowa, Douglas, Evans, Fitzpatrick, Johnson, Jones of Iowa, Mallory, Mason, Morton, Rusk, Sebastian, Slidell, Thompson of Kentucky, Thomson of N. Jersey, Toombs, Weller, Wright.

Those who voted in the negative are,

Messrs. Bayard, Butler, Chase, Everett, Fessenden, Fish, Geyer, Gwin, Hamlin, James, Pettit, Seward, Shields, Smith, Stuart, Sumner, Wade, Walker.

So, two-thirds not having voted in the affirmative, the resolution was not agreed to.

TUESDAY, APRIL 18, 1854.

On motion by Mr. James that the vote of the 17th instant disagreeing to the resolution of ratification of the treaty with the Mexican Republic be reconsidered,

It was determined in the affirmative.

On motion by Mr. Mason,

Ordered, That the further consideration of the said resolution be postponed to and made the order of the day for Thursday next, the 20th instant, at one o'clock.

THURSDAY, APRIL 20, 1854.

On motion by Mr. Mason,

The Senate resumed the consideration of the resolution of ratification of the treaty between the United States of America and the Mexican Republic; and

After debate,

On motion by Mr. Weller,
The Senate adjourned.

TUESDAY, APRIL 25, 1854.

The Senate resumed the consideration of the resolution of ratification of the treaty between the United States of America and the Mexican Republic; and

After debate,

On motion by Mr. Mason to amend the resolution by striking out the words proposed to be inserted in the first article, and inserting the following in lieu thereof—

be as follows: Beginning in the Gulf of Mexico three leagues from land opposite the mouth of the Rio Grande, as provided in the fifth article of the treaty of Guadalupe-Hidalgo; thence as defined in such article up the middle of that river to the point where the parallel of 31° 47' north latitude crosses the same; thence due west one hundred miles; thence south to the parallel of 31° 20' to the 111° meridian of longitude west of Greenwich; thence in a straight line to a point on the Colorado River twenty English miles below the junction of the Gila and Colorado Rivers; thence up the middle of the said river Colorado until it intersects the present line between the United States and Mexico.

The question was stated, Shall the words proposed to be stricken out stand as part of the resolution?

And it was determined in the negative, { Yeas----- 3
Nays----- 43

Those who voted in the affirmative are,

Messrs. Foot, Pettit, Wade.

Those who voted in the negative are,

Messrs. Allen, Atchison, Badger, Bayard, Bell, Bright, Brodhead, Brown, Butler, Clay, Cooper, Dawson, Dodge of Wisconsin, Dodge of Iowa, Douglas, Evans, Everett, Fish, Fitzpatrick, Geyer, Hamlin, Hunter, Johnson, Jones of Tennessee, Mallory, Mason, Morton, Norris, Pearce, Pratt, Rusk, Sebastian, Seward, Shields, Slidell, Smith, Stuart, Thompson of Kentucky, Toombs, Toucey, Walker, Williams, Wright.

So, two-thirds not having voted in the affirmative, the words were stricken out.

The question was then stated, Shall the words proposed to be inserted stand as part of the resolution?

And it was determined in the affirmative, { Yeas----- 39
Nays----- 7

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Badger, Bayard, Bell, Bright, Brodhead, Brown, Butler, Clay, Cooper, Dawson, Dodge of Wisconsin, Dodge of

Iowa, Douglas, Evans, Everett, Fitzpatrick, Geyer, Hamlin, Hunter, Johnson, Jones of Tennessee, Mallory, Mason, Morton, Norris, Pearce, Pratt, Rusk, Sebastian, Seward, Slidell, Smith, Thompson of Kentucky, Toombs Toucey, Williams, Wright.

Those who voted in the negative are,

Messrs. Chase, Foot, Pettit, Stuart, Sumner, Wade, Walker.

So, two-thirds having voted in the affirmative, the words were inserted.

On motion by Mr. Mason to amend the resolution by striking out the proposed third article, and inserting the following in lieu thereof:

ARTICLE 3. In consideration of the foregoing stipulations the Government of the United States agrees to pay to the Government of Mexico, in the city of New York, the sum of ten millions of dollars, of which seven millions shall be paid immediately upon the exchange of the ratifications of this treaty, and the remaining three millions as soon as the boundary line shall be surveyed, marked, and established.

The question was stated, Shall the article proposed to be stricken out stand as part of the resolution?

And it was determined in the negative, { Yeas ----- 15
Nays ----- 33

Those who voted in the affirmative are,

Messrs. Brown, Chase, Dodge of Iowa, Everett, Fish, Foot, Geyer, Hamlin, Pettit, Seward, Shields, Smith, Sumner, Wade, Walker.

Those who voted in the negative are,

Messrs. Allen, Atchison, Badger, Bayard, Bell, Brodhead, Butler, Clay, Cooper, Dawson, Dodge of Wisconsin, Douglas, Evans, Fitzpatrick, Gwin, Hunter, Jones of Iowa, Jones of Tennessee, Mallory, Mason, Morton, Norris, Pearce, Pratt, Rusk, Sebastian, Slidell, Stuart, Toombs, Toucey, Weller, Williams, Wright.

So, two-thirds not having voted to retain the article, it was stricken out.

The question was then stated, Shall the article proposed to be inserted stand as part of the resolution?

And it was determined in the affirmative, { Yeas ----- 34
Nays ----- 14

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Badger, Bayard, Bell, Brodhead, Brown, Butler, Clay, Dawson, Dodge of Wisconsin, Douglas, Evans, Fitzpatrick, Gwin, Hunter, Johnson, Jones of Iowa, Jones of Tennessee, Mallory, Mason, Morton, Norris, Pearce, Pratt, Rusk, Sebastian, Stuart, Thompson of Kentucky, Toombs, Toucey, Weller, Williams, Wright.

Those who voted in the negative are,

Messrs. Bright, Chase, Dodge of Iowa, Everett, Fish, Foot, Geyer, Pettit, Seward, Shields, Smith, Sumner, Wade, Walker.

So, two-thirds having voted in the affirmative, the article was inserted.

On motion by Mr. Mason to amend Article 7 as stated in the resolution, by striking out "re-affixed," the last word of that article, and inserting the word *reaffirmed* in lieu thereof,

The questions were respectively stated on striking out and inserting, and they were severally unanimously determined in the affirmative.

On motion by Mr. Bell to amend the resolution by inserting the following as a new Article 8, and to change "Article 8" to *Article 9*:

The Mexican Government having on the 5th of February, 1852, authorized the early construction of a plank and railroad across the Isthmus of Tehuantepec, and to secure the stable benefits of said transit way to the persons and merchandise of the citizens of Mexico and the United States, it is stipulated that neither Government will interpose any obstacle to the transit of persons and merchandise of both nations; and at no time shall higher charges be made on the transit of persons and property of citizens of the United States than may be made on the persons and property of other foreign nations, nor shall any interest in said transit way, nor in the proceeds thereof, be transferred to any foreign Government.

The United States by its agents shall have the right to transport across the Isthmus, in closed bags, the mails of the United States not intended for distribution along the line of communication; also, the effects of the United States Government and its citizens, which may be intended for transit and not for distribution in the Isthmus, free of custom-house or other charges by the Mexican Government. Neither passports nor letters of security will be required of persons crossing the Isthmus and not remaining in the country.

When the construction of the railroad shall be completed the Mexican Government agrees to open a port of entry in addition to the port of Vera Cruz, at or near the terminus of said road, on the Gulf of Mexico.

The two Governments will enter into arrangements for the prompt transit of troops and munitions of the United States, which that Government may have occasion to send from one part of its territory to another, lying on opposite sides of the continent.

The Mexican Government having agreed to protect with its whole power the prosecution, preservation and security of the work, the United States may extend its protection, as it shall judge wise, to it when it may feel sanctioned by the public or international law.

The question was stated, Shall this new article 8, proposed to be inserted, stand as part of the resolution?

And it was determined in the affirmative, { Yeas----- 30
Nays----- 14

Those who voted in the affirmative are,

Messrs. Atchison, Bell, Clay, Cooper, Dawson, Douglas, Evans, Everett, Fitzpatrick, Foot, Geyer, Gwin, Jones of Iowa, Jones of Tennessee, Mallory, Morton, Pettit, Pratt, Rusk, Sebastian, Seward, Shields, Slidell, Smith, Thompson of Kentucky, Toombs, Toucey, Wade, Walker, Weller.

Those who voted in the negative are,

Messrs. Allen, Bright, Brown, Butler, Dodge of Wisconsin, Dodge of Iowa, Hamlin, Hunter, Mason, Norris, Stuart, Sumner, Williams, Wright.

So, two-thirds having voted in the affirmative, the said new article was inserted.

The question was then stated, Shall Article 8, as stated in the resolution, stand as Article 9?

And it was unanimously determined in the affirmative.

On motion by Mr. Mason to amend said Article 9 by striking out the words "seventy-seventh" and inserting the words *seventy-eighth* in lieu thereof,

The questions were respectively stated on striking out and inserting, and they were severally unanimously determined in the affirmative.

No further amendment being proposed, the question was taken on agreeing to the resolution as amended; and

And it was determined in the affirmative, { Yeas----- 33
Nays----- 13

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Badger, Bayard, Bell, Bright, Brodhead, Brown, Clay, Cooper, Dawson, Dodge of Wisconsin, Douglas, Evans, Fitzpatrick, Geyer, Hunter, Jones of Iowa, Jones of Tennessee, Mallory, Mason, Morton, Pearce, Pratt, Rusk, Sebastian, Slidell, Thompson of Kentucky, Toombs, Toucey, Weller, Williams, Wright.

Those who voted in the negative are,

Messrs. Chase, Dodge of Iowa, Everett, Fish, Foot, Hamlin, Pettit, Seward, Shields, Stuart, Sumner, Wade.

So it was

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States of America and the Mexican Republic, concluded at the city of Mexico the thirtieth day of December, in the year of our Lord eighteen hundred and fifty-three, with the following amendments:

Article 1. Strike out the following words: "proceed from the point where the aforesaid line intersects the River Colorado, along the middle of the deepest channel of this river, to a point distant two marine leagues to the north of the most northern part of the Gulf of California; thence in succession a right line to the intersection of the 31st parallel of latitude, north with 111° longitude, west of Greenwich, whence another right line to the 31° 47' 30" of north latitude, where the same will cross the boundary line descending the Rio Grande or Bravo del Norte, to the Gulf of Mexico, as defined in the 5th article of the treaty of Guadalupe. And it is agreed that, should the line before described (from the intersection of the parallel 31° of latitude, north, with the meridian 111° west of Greenwich, to its crossing the Rio Grande in latitude 31° 47' 30") traverse the Lake Guzman, said lake shall be broken so as to form an angle at a point distant one marine league south of the most southern part of that lake."

Article 1. Insert the following in lieu of the words stricken out: *be as follows: Beginning in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, as provided in the fifth article of the treaty of Guadalupe-Hidalgo; thence, as defined in such article, up the middle of that river to the point where the parallel of 31° 47' north latitude crosses the same, thence due west one hundred miles; thence south to the parallel of 31° 20' north latitude; thence along the said parallel of 31° 20' to the 111° meridian of longitude west of Greenwich, thence in a straight line to a point in the Colorado River twenty English miles below the junction of the Gila and Colorado Rivers; thence up the middle of the said River Colorado until it intersects the present line between the United States and Mexico.*

Article 2. Strike out the same, as follows:

"ARTICLE II. With the like desire to maintain the most perfect peace and friendly relations between both countries, it has been agreed that to remove all occasion of dispute on account of reclamations to the present date founded on alleged Indian incursions, and to avoid all contests upon the true spirit and intention of the obligation stipulated in the eleventh article of the treaty of Guadalupe, the same has been and is hereby abolished and annulled. The Government of the United States agrees, notwithstanding this abrogation and annulment, to provide such additional laws and regulations as the subject may in good faith require, making it a highly penal offense on the part of any inhabitant of the United States or the Territories thereof, to purchase or receive horses, mules, cattle, or property of any kind, knowing the same to have been stolen within the limits of Mexican territory by Indians, or by any other persons; and, furthermore, agrees to return, on demand, to their legitimate owners what may have been thus stolen, so soon as the same shall have been recovered by the authorities of the United States. And in the event of any person or persons captured upon Mexican territory being carried within the boundaries of the United States, the Government of the latter engages to use every fair and reasonable means that the nature and circumstances of the case will admit to rescue and return such captives to their own country, or deliver them to an agent or representative of the Mexican Government, requiring simply the repayment to the officer or agent of the United States, who may so deliver or return them, the expenses incurred in the maintenance and transmission of the rescued captives. Finally, the Government of the United States promises that on any occasion she may have to remove the Indians from any point of her territory or

to settle thereupon her own citizens, especial care shall be taken not to place said Indians under necessity of seeking new homes by means of incursions into the Mexican Territory."

Article 2. Insert the following as Article 2:

ARTICLE 2. The Government of Mexico hereby releases the United States from all liability on account of the obligations contained in the eleventh article of the treaty of Guadalupe-Hidalgo, and the said article and the thirty-third article of the treaty of amity, commerce, and navigation between the United States of America and the United Mexican States, concluded at Mexico on the fifth day of April, 1831, are hereby abrogated.

Article II. Strike out the same, as follows:

"ARTICLE III. In consideration of the grants received by the United States and the obligations relinquished by the Mexican Republic, pursuant to this treaty, the former agree to pay to the latter the sum of fifteen millions of dollars in gold or silver coin at the Treasury at Washington, one-fifth of the amount on the exchange of ratifications of present treaty at Washington and the remaining four-fifths in monthly installments of three millions each, with interest at the rate of six per cent. per annum until the whole is paid, the Government of the United States reserving the right to pay up the whole sum of fifteen millions at earlier date, as may be to her convenient.

"The United States also agree to assume all the claims of their citizens of whatever right, title, or foundation, which may have arisen since the date of the signature of the treaty of Guadalupe, or which may not have been provided for therein, or of any corporation, company, or citizen of the same, including the claim of the so-called concession to Garay, whose lawful existence Mexico does not recognize, even as implied, thus extinguishing this among the other claims of citizens of the United States against the Republic of Mexico, said United States obliging themselves not to make any payment on account of the so-called concession to Garay without having previously delivered to the agent of the Mexican Government accredited at Washington all the evidence and documents used by the holders of said concession in establishing their rights and claims legally relinquished in favor of Mexico by such holders and claimants; and it is agreed in the reciprocal release of obligations that the Mexican Republic exonerates the United States of America from all claims of Mexico or Mexican citizens which may have arisen since the date of the treaty of Guadalupe, so that each Government, in the most formal and effective manner, shall be exempted and exonerated of all obligations to each other respectively, whether of themselves or in behalf of their respective citizens up to the date of the signature of the present treaty."

Article 3. Insert the following as Article 3:

ARTICLE 3. In consideration of the foregoing stipulations the Government of the United States agrees to pay to the Government of Mexico, in the city of New York, the sum of ten millions of dollars, of which seven millions shall be paid immediately upon the exchange of the ratifications of this treaty, and the remaining three millions as soon as the boundary line shall be surveyed, marked, and established.

Article 4. Strike out the same, as follows:

"ARTICLE IV. The Government of the United States shall organize a board of commissioners, which shall meet in the city of Washington or of Mexico, as the President of the United States may direct, within one year from the date of the exchange of the ratifications of this treaty, for the purpose of examining and deciding the claims assumed by the United States in the preceding article according to the principles of justice, the law of nations, and the treaty in force between the two Governments, and whose awards shall be final and conclusive, and the United States exonerating Mexico from all demands on account of the claims of their citizens mentioned in the preceding article, and considering them entirely and forever cancelled, whatever their amount, undertake to make satisfaction for the same in a sum not exceeding five millions of dollars; and if, for the purpose of discharging their duties, the board of commissioners should meet in the capital of the Mexican Republic the Government of the same will afford all necessary protection for the continued pacific exercise of its functions, and will extend every facility in the furnishing to commissioners and claimants all such documents establishing their rights as they might require and which may be within the extent of its reach to supply."

Change "Article 5" to *Article 4.*

Change "Article 6" to *Article 5.*

Change "Article 7" to *Article 6.*

Article 8. Strike out the same, as follows:

"ARTICLE VIII. The two high contracting powers, fully impressed that under the auspices of peace, and upon the basis of mutual good faith, and of the respect which nations reciprocally owe, it is that their prosperity and well-being increase, especially when from vicinity their interests grow to be mingled and identified; and recognizing the reciprocal obligations of civilized governments and the acknowledged provisions of the laws of nations, agree by the present, in proof of that entire confidence which they mutually entertain, and of that friendship which they desire to be as perfect, unalterable, and complete as possible; that whenever the tranquillity and interior repose of either country shall be threatened or disturbed by unlawful invasions of any of the citizens or subjects of either power against the territory of the other respectively, they will cheerfully co-operate in their endeavors to suppress all such attempts. They mutually and especially obligate themselves in all cases of such lawless enterprises which may not have been prevented through the civil authorities before formation, to aid with the naval and military forces, in the notice being given by the aggrieved party of the aggressions of the citizens and subjects of the other, so that the lawless adventurers may be pursued and overtaken on the high seas, their elements of war destroyed, and the deluded captives held responsible in their persons and meet with the merited retribution inflicted by the laws of nations against all such disturbers of the peace and happiness of contiguous and friendly powers. It being understood that in all cases of successful pursuit and capture, the delinquents so captured shall be judged and punished by the Government of that nation to which the vessel capturing them may belong, conformably to the laws of each nation."

Change "Article 9" to Article 7.

And strike out "reaffixed," the last word of that article, and insert the word *reaffirmed* in lieu thereof.

Insert the following as a new article.

ARTICLE 8. *The Mexican Government having, on the fifth of February, eighteen hundred and fifty-three, authorized the early construction of a plank and rail road across the Isthmus of Tehuantepec, and to secure the stable benefits of said transit way to the persons and merchandise of the citizens of Mexico and the United States, it is stipulated that neither Government will interpose any obstacle to the transit of persons and merchandise of both nations; and at no time shall higher charges be made on the transit of persons and property of citizens of the United States than may be made on the persons and property of other foreign nations, nor shall any interest in said transit way, nor in the proceeds thereof be transferred to any foreign Government.*

The United States, by its agents, shall have the right to transport across the Isthmus, in closed bags, the mails of the United States not intended for distribution along the line of communication; also the effects of the United States Government and its citizens which may be intended for transit and not for distribution on the Isthmus, free of custom-house or other charges by the Mexican Government. Neither passports nor letters of security will be required of persons crossing the Isthmus and not remaining in the country.

When the construction of the railroad shall be completed, the Mexican Government agrees to open a port of entry in addition to the port of Vera Cruz, at or near the terminus of said road on the Gulf of Mexico.

The two Governments will enter into arrangements for the prompt transit of troops and munitions of the United States, which that Government may have occasion to send from one part of its territory to another, lying on opposite sides of the continent.

The Mexican Government having agreed to protect with its whole power the prosecution, preservation, and security of the work, the United States may extend its protection, as it shall judge wise, to it when it may feel sanctioned and warranted by the public or international law.

Change "Article 10" to Article 9.

In said Article 9 strike out "four months" and insert *six months*.

In the concluding sentence strike out the words "seventy-seventh" and in lieu thereof insert the words *seventy-eighth*.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Shields submitted the following resolution for consideration:

Resolved, That the injunction of secrecy be removed from the proceedings and debates of the Senate on the treaty between the United States of America

and the Mexican Republic, concluded at the City of Mexico, the 30th December, 1853, and from the messages of the President and the communications and documents transmitted therewith relating to the said treaty, and from other documents communicated to the Senate in relation thereto, and that the same be printed for the use of the Senate.

WEDNESDAY, APRIL 26, 1854.

On motion by Mr. Shields,

The Senate proceeded to consider the resolution submitted by him yesterday relative to removing the injunction of secrecy from the treaty with Mexico and the documents and proceedings relating thereto; and, on the question to agree thereto,

It was determined in the negative, { Yeas----- 13
Nays----- 26

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Brown, Chase, Cooper, Dodge of Iowa, Fish, Foot, Jones of Tennessee, Pettit, Seward, Shields, Sumner, Wade, Walker.

Those who voted in the negative are,

Messrs. Allen, Badger, Bayard, Bell, Bright, Brodhead, Butler, Clay, Dodge of Wisconsin, Evans, Everett, Fitzpatrick, Geyer, Hamlin, Hunter, Johnson, Jones of Iowa, Mason, Pearce, Rusk, Sebastian, Slidell, Toombs, Toucey, Williams, Wright.

So the resolution was not agreed to.

THURSDAY, JUNE 29, 1854.

Mr. Shields submitted the following resolution for consideration:

Resolved, That the injunction of secrecy be removed from the treaty between the United States of America and the Mexican Republic, concluded at the city of Mexico the 30th day of December, in the year of our Lord 1853, from the proceedings and debates of the Senate thereon, and from all documents communicated to the Senate in relation thereto.

The Senate, by unanimous consent, proceeded to consider the said resolution; and,

After debate,

Mr. Evans proposed the following amendment, to wit:

Strike out all after the word "Resolved," and insert in lieu thereof the following:

That the injunction of secrecy be removed from the treaty between the United States of America and the Mexican Republic, concluded at the City of Mexico the 30th day of December, in the year of our Lord 1853, from the proceedings and debates of the Senate thereon, and from all messages, documents, and correspondence communicated to the Senate in relation thereto, except such portions thereof, the publication of which may be considered by the Committee on Foreign Relations detrimental to the public interest.

Which amendment was accepted by Mr. Shields; and

After debate,

On motion by Mr. Hunter that the doors of the Senate be opened,

It was determined in the negative, { Yeas----- 21
Nays----- 22

On motion by Mr. Shields,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Adams, Bayard, Brodhead, Cass, Clay, Dodge of Wisconsin, Dodge of Iowa, Fitzpatrick, Houston, Hunter, Johnson, Jones of Iowa, Mallory, Mason, Norris, Rusk, Sebastian, Slidell, Toucey, Weller, Williams.

Those who voted in the negative are,

Messrs. Allen, Atchison, Bright, Brown, Chase, Clayton, Douglas, Evans, Fessenden, Fish, Geyer, Gillette, Gwin, Hamlin, Jones of Tennessee, Pettit, Rockwell, Seward, Shields, Stuart, Sumner, Wade.

So the motion was not agreed to.

On motion by Mr. Hunter that the resolution lie on the table,

It was determined in the negative,	{ Yeas-----	19
	{ Nays-----	24

On motion by Mr. Shields,

The yeas and nays having been ordered by the desire of one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Adams, Atchison, Bayard, Brodhead, Cass, Clay, Dodge of Wisconsin, Dodge of Iowa, Fitzpatrick, Hunter, Johnson, Jones of Iowa, Mason, Norris, Rusk, Sebastian, Slidell, Weller, Williams.

Those who voted in the negative are,

Messrs. Allen, Badger, Bright, Brown, Chase, Clayton, Douglas, Evans, Fessenden, Fish, Geyer, Gillette, Gwin, Hamlin, Houston, Jones of Tennessee, Mallory, Pettit, Rockwell, Seward, Shields, Stuart, Sumner, Wade.

So the motion was not agreed to.

On motion by Mr. Brodhead that the resolution be amended by striking out the following words: "except such portions thereof, the publication of which may be considered by the Committee on Foreign Relations detrimental to the public interest."

After debate,

On motion by Mr. Bayard that the resolution as modified and the proposed amendment be referred to the Committee on Foreign Relations,

On motion by Mr. Mallory that the doors of the Senate be opened,

It was determined in the negative,	{ Yeas-----	22
	{ Nays-----	23

On motion by Mr. Shields,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Adams, Atchison, Bayard, Bright, Brodhead, Cass, Clay, Dodge of Wisconsin, Dodge of Iowa, Fitzpatrick, Houston, Hunter, Johnson, Jones of Iowa, Mallory, Mason, Rusk, Sebastian, Slidell, Toucey, Weller, Williams.

Those who voted in the negative are,

Messrs. Allen, Badger, Bell, Brown, Butler, Chase, Clayton, Douglas, Evans, Fessenden, Fish, Gillette, Gwin, Hamlin, Jones of Tennessee, Pettit, Rockwell, Seward, Shields, Stuart, Sumner, Thompson of Kentucky, Wade.

So the motion was not agreed to.

The question then recurred on the motion by Mr. Bayard,

And it was determined in the affirmative,	{ Yeas-----	26
	{ Nays-----	19

On motion by Mr. Shields,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Adams, Allen, Atchison, Bayard, Bright, Brodhead, Brown, Butler, Cass Clay, Dodge of Wisconsin, Dodge of Iowa, Evans, Fitzpatrick, Houston, Hunter, Johnson, Jones of Iowa, Mallory, Mason, Rusk, Sebastian, Slidell, Toucey, Weller, Williams.

Those who voted in the negative are,

Messrs. Badger, Bell, Chase, Clayton, Douglas, Fessenden, Fish, Geyer, Gillette, Gwin, Hamlin, Jones of Tennessee, Pettit, Rockwell, Seward, Shields, Stuart, Sumner, Wade.

So it was

Ordered, That the resolution as modified and the proposed amendment be referred to the Committee on Foreign Relations.

TREATY WITH THE HAWAIIAN ISLANDS SIGNED IN WASHINGTON JULY 20, 1855.

THURSDAY, JANUARY 3, 1856.

The following messages were received from the President of the United States, by Mr. Webster, his secretary:

To the Senate of the United States:

I transmit to the Senate, for consideration with a view to ratification, a treaty between the United States and His Majesty the King of the Hawaiian Islands, signed in Washington this twentieth day of July, A. D. 1855.

FRANKLIN PIERCE.

WASHINGTON, 27th December, 1855.

The treaty between the United States and His Majesty the King of the Hawaiian Islands, signed at Washington the twentieth day of July, A. D. 1855, was read the first time.

On motion by Mr. Mason,

Ordered, That the said treaty, together with the message, be referred to the Committee on Foreign Relations.

WEDNESDAY, JUNE 25, 1856.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 3d of January, the treaty between the United States and His Majesty the King of the Hawaiian Islands, signed in Washington the 20th day of July, 1855, reported.

WEDNESDAY, AUGUST 13, 1856.

On motion by Mr. Mason,

The treaty between the United States and His Majesty the King of the Hawaiian Islands, signed in Washington the 20th day of July, 1855, was read the second time and considered as in Committee of the Whole; and

After debate,

On motion by Mr. Mason,

Ordered, That the further consideration thereof be postponed until to-morrow.

FRIDAY, AUGUST 22, 1856.

On motion by Mr. Mason,
The Senate proceeded to consider the treaty between the United States and His Majesty the King of the Hawaiian Islands; and

After debate,

On motion by Mr. Cass,

Ordered, That the said treaty lie on the table.

WEDNESDAY, FEBRUARY 18, 1857.

On motion by Mr. Fish,

The Senate, as in Committee of the Whole, proceeded to consider the treaty between the United States and His Majesty the King of the Hawaiian Islands.

On motion by Mr. Fish,

Ordered, That the further consideration of the said treaty be postponed, and be the special order of the day for to-morrow, the 19th instant, at 2 o'clock.

FRIDAY, FEBRUARY 20, 1857.

On motion by Mr. Fish that the Senate proceed to consider the treaty between the United States and His Majesty the King of the Hawaiian Islands,

On motion by Mr. Johnson that the doors be opened,

The President decided that the motion of Mr. Fish had precedence.

From this decision Mr. Rusk appealed.

The question was stated, Shall the decision of the Chair stand as the judgment of the Senate?

And it was determined in the negative.

MONDAY, MARCH 9, 1857.

On motion by Mr. Mason,

Ordered, That the following treaties, remaining undisposed of at the termination of the late session, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate:

The treaty between the United States and His Majesty the King of the Hawaiian Islands.

WEDNESDAY, MARCH 11, 1857.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 9th instant, the treaty between the United States and His Majesty the King of the Hawaiian Islands, signed in Washington the 20th day of July, 1855, reported adversely thereon.

FRIDAY, MARCH 13, 1857.

On motion by Mr. Mason,

The Senate, as in Committee of the Whole, resumed the consideration of the treaty between the United States and His Majesty the King of Hawaiian Islands, signed in Washington the twentieth day of July, eighteen hundred and fifty-five.

On motion by Mr. Benjamin that the said treaty lie on the table,
It was determined in the negative, { Yeas ----- 14
Nays ----- 30

On motion by Mr. Benjamin,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Benjamin, Biggs, Bright, Brown, Clay, Evans, Foot, Johnson, Polk, Pugh, Reid, Slidell, Thomson of New Jersey, Wright.

Those who voted in the negative are,

Messrs. Allen, Bell of New Hampshire, Bell of Tennessee, Bigler, Broderick, Butler, Cameron, Chandler, Davis, Doolittle, Douglas, Durkee, Foster, Green, Gwin, Harlan, Houston, Hunter, Iverson, Jones, Kennedy, King, Mason, Sebastian, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

After debate,

On motion by Mr. Slidell that the Senate adjourn,

It was determined in the negative, { Yeas ----- 14
Nays ----- 30

On motion by Mr. Slidell,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Benjamin, Bigler, Brown, Clay, Foot, Green, Hunter, Johnson, Pugh, Sebastian, Slidell, Stuart, Thomson of New Jersey, Wright.

Those who voted in the negative are,

Messrs. Allen, Bell of New Hampshire, Bell of Tennessee, Biggs, Broderick, Cameron, Chandler, Davis, Dolittle, Douglas, Durkee, Evans, Fitch, Foster, Gwin, Harlan, Houston, Iverson, Jones, Kennedy, King, Mason, Polk, Reid, Rusk, Seward, Simmons, Trumbull, Wade, Wilson.

After debate,

On motion by Mr. Houston,

The Senate adjourned.

TREATY WITH GREAT BRITAIN

Providing for reference to an arbiter of the question of difference concerning the northwest boundary between the United States and the British possessions in North America, signed at London, January 14, 1869.

CONVENTION WITH GREAT BRITAIN

For the adjustment of all outstanding claims of citizens of the respective countries, signed at London, January 14, 1869.

TUESDAY, JANUARY 19, 1869.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I transmit to the Senate for consideration, with a view to its ratification, a copy of a treaty between the United States and Great Britain, signed yesterday at London, providing for the reference to an arbiter of the question of difference between the United States and Great Britain concerning the northwest

line of water boundary between the United States and the British Possessions in North America. It is expected that the original of the convention will be forwarded by the steamer which leaves Liverpool to-morrow. Circumstances, however, to which it is unnecessary to advert, in my judgment, make it advisable to communicate to the Senate the copy referred to in advance of the arrival of the original instrument.

ANDREW JOHNSON.

WASHINGTON, January 15, 1869.

To the Senate of the United States:

I transmit to the Senate for consideration, with a view of its ratification, a copy of a convention between the United States and Great Britain, signed yesterday at London, providing for the adjustment of all outstanding claims of the citizens and subjects of the parties respectively. It is expected that the original of the convention will be forwarded by the steamer which leaves Liverpool to-morrow, circumstances, however, to which it is unnecessary to advert, in my judgment, make it advisable to communicate to the Senate the copy referred to in advance of the arrival of the original instrument.

ANDREW JOHNSON.

WASHINGTON, January 15, 1869.

To the Senate of the United States:

I transmit for the opinion of the Senate as to the expediency of concluding a convention based thereupon a protocol signed at London on the 9th of October last for regulating the citizenship of citizens of the United States who have emigrated or who may emigrate from the United States to the British Dominions, and of British subjects who have emigrated or who may emigrate from the British Dominions to the United States of America.

ANDREW JOHNSON.

WASHINGTON, Jan'y 15, 1869.

The copy of a convention between the United States and Great Britain, signed at London, the 14th January, 1869, providing for the adjustment of all outstanding claims of the citizens and subjects of the parties respectively;

The copy of a treaty between the United States and Great Britain, signed at London the 14 January, 1869, providing for the reference to an arbiter of the question concerning the water boundary between the United States and the British Possessions in North America; and

The protocol for a convention between the United States and Great Britain, signed at London the 9th October, 1868, regulating the citizenship of persons who emigrate to and from the two countries, were severally read the first time.

On motion by Mr. Sumner,

Ordered, That the said conventions, copy of conventions, additional article, treaty, and protocol be severally referred to the Committee on Foreign Relations, and with the accompanying documents be printed in confidence for the use of the Senate.

THURSDAY, FEBRUARY 11, 1869.

The treaty between the United States of America and Great Britain for the settlement of all outstanding claims, concluded at London the 14th of January, 1869; and

The convention between the United States of America and Great Britain for the determination of the water boundary between their respective possessions, concluded at London the 14th January, 1869, were severally read the first time.

On motion by Mr. Sumner,

Ordered, That the said treaty and convention, with the message and accompanying papers, together with the correspondence between the United States of America and Great Britain relating to the subject of claims, the subject of water

boundary, and the subject of naturalized citizens, be referred to the Committee on Foreign Relations, and be printed in confidence for the use of the Senate, and that one hundred additional copies be printed for the use of the State Department.

THURSDAY, FEBRUARY 18, 1869.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 19th of January, a copy of a treaty between the United States and Great Britain, signed at London, January 14, 1869, providing for the reference to an arbiter of the question concerning the water boundary between the United States and the British possessions in North America, reported the same with an amendment and with the recommendation that the Senate advise and consent to the ratification of the same.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 19th of January, a copy of a convention between the United States and Great Britain, signed at London January 14, 1869, providing for the adjustment of all outstanding claims of the citizens and subjects of the parties respectively, reported the same with the recommendation that the Senate do not advise and consent to the ratification of the same.

ANNEXATION OF THE DOMINICAN REPUBLIC.

MONDAY, JANUARY 10, 1870.

The following messages were received from the President of the United States, by Mr. Porter, his secretary:

The treaty (Executive H) for the annexation of the Dominican Republic to the United States, signed by the plenipotentiaries of the parties on the 29th of November, 1869, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said treaty be referred to the Committee on Foreign Relations, and, with the message, be printed in confidence for the use of the Senate.

MONDAY, MARCH 14, 1870.

To the Senate of the United States:

I would respectfully call your attention to a treaty now before you for the acquisition of the Republic of San Domingo, entered into between the agents of the two Governments on the 29th of November, 1869, and by its terms to be finally acted upon by the people of San Domingo and the Senate of the United States within four months from the date of signing the treaty. The time for action expires on the 29th instant, a fact to which I desire expressly to call your attention. I would also direct your notice to the fact that the Government of San Domingo has no agent in the United States who is authorized to extend the time for further deliberation upon its merits.

The people of San Domingo have already, so far as their action can go, ratified the treaty, and I express the earnest wish that you will not permit it to expire by limitation. I also entertain the sincere hope that your action may be favorable to the ratification of the treaty.

U. S. GRANT.

EXECUTIVE MANSION, Washington, D. C., March 14, 1870.

Ordered, That the message in relation to the treaty for the acquisition of San Domingo be referred to the Committee on Foreign Relations.

Mr. Ferry submitted the following resolution for consideration:

Resolved, That the proceedings on the San Domingo treaty shall take place in open session of the Senate.

TUESDAY, MARCH 15, 1870.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 10th January, the treaty for the annexation of the Dominican Republic, signed on the 29th of November, 1869, reported the same without amendment, and with the recommendation that the Senate do not advise and consent to the ratification of the same.

WEDNESDAY, MARCH 16, 1870.

On motion by Mr. Sumner,

Ordered, That the treaty for the annexation of the Dominican Republic, signed on the 29th of November, 1869, be made the special order for Wednesday, March 23, next.

THURSDAY, MARCH 24, 1870.

On motion by Mr. Ferry,

The Senate proceeded to consider the motion submitted by him, the 14th instant, that the proceedings on the San Dominican treaty shall take place in open session of the Senate; and

On motion by Mr. Stewart that the said motion lie on the table,

It was determined in the affirmative, { Yeas----- 43
Nays----- 16

On motion by Mr. Ferry,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Abbott, Anthony, Boreman, Brownlow, Carpenter, Cattell, Chandler, Cole, Corbett, Craigin, Drake, Gilbert, Hamlin, Harlan, Harris, Howard, Howe, Howell, Johnston, Kellogg, McDonald, Morrill of Maine, Morton, Nye, Osborn, Patterson, Pomeroy, Pool, Pratt, Ramsey, Revels, Rice, Robertson, Ross, Scott, Sherman, Stewart, Sumner, Thayer, Vickers, Warner, Willey, and Wilson.

Those who voted in the negative are,

Messrs. Bayard, Buckingham, Casserly, Conklin, Davis, Ferry, Fowler, McCreery, Morrill, Sawyer, Schurz, Spencer, Sprague, Stockton, Thurman, and Trumbull.

Mr. Sumner presented a letter of the Secretary of State, addressed to the chairman of the Committee on Foreign Relations, communicating copies of the instructions under which the convention and treaty of the United States and Santo Domingo were negotiated, together with the accompaniments therein referred to; which was ordered to be printed in confidence for the use of the Senate.

Mr. Schurz submitted the following resolution, which was considered by unanimous consent and agreed to:

Resolved, That the President be requested, if in his opinion consistent with the public interest, to transmit to the Senate a report on the resources of and the condition of things in the Dominican Republic, written by Captain Selfridge, of the United States Navy, if such report is in the possession of any of the Departments of the Government.

On motion by Mr. Sumner,

The Senate proceeded to consider the treaty for the annexation of the Dominican Republic, signed the 29th of November, 1869.

After debate,

On motion by Mr. Howard,
The Senate adjourned.

FRIDAY, MARCH 25, 1870.

The following messages were received from the President of the United States, by Mr. Porter, his secretary:

To the Senate of the United States:

In reply to a Senate resolution of the 24th instant requesting to be furnished with a report, written by Captain Selfridge, upon the resources and condition of things in the Dominican Republic, I have to state that no such report has been received.

U. S. GRANT.

EXECUTIVE MANSION, March 25, 1870.

Mr. Sumner submitted the following resolution; which was considered by uhanimous consent and agreed to:

Resolved, That the President of the United States be requested to communicate to the Senate, in executive session, copies of any instructions to commanders of vessels in our Navy now in the ports or waters of the Dominican Government.

Mr. Ferry submitted the folowing resolution; which was considered by unanimous consent and agreed to:

Resolved, That the Secretary of State be directed to transmit to the Senate full and entire copies of the following dispatches of J. Somers Smith, esq., late commercial agent of the United States at Santo Domingo, to the State Department, portions of which dispatches were transmitted to the Senate on the 24th day of February, 1870, in compliance with a resolution of the Senate of February 21, 1870, namely:

Dispatches dated Santo Domingo City, September 4, 1869, and September 9, 1869.

Dispatch dated Santo Domingo City, October 8, 1869.

Mr. Sumner presented a translation of the agreement or treaty between the Dominican Republic and Hartmont & Co. for a loan to the Dominican Republic; which was ordered to be printed in confidence for the use of the Senate.

The Senate resumed the consideration of the treaty for the annexation of the Dominican Republic, signed on the 29th November, 1869, and,

After debate,

On motion by Mr. Thurman that the Senate adjourn,

It was determined in the affirmative, { Yeas----- 35
Nays----- 22

On motion of Mr. Sprague,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are:

Messrs. Bayard, Boreman, Brownlow, Buckingham, Cameron, Casserly, Chandler, Davis, Fenton, Ferry, Fowler, Gilbert, Harris, Howard, McCreery, Morrill of Maine, Morrill of Vermont, Norton, Patterson, Pool, Pratt, Ramsey, Revels, Robertson, Ross, Sawyer, Schurz, Scott, Spencer, Stockton, Sumner, Thayer, Thurman, Trumbull, and Vickers.

Those who voted in the negative are,

Messrs. Abbott, Anthony, Cattell, Cole, Conkling, Corbett, Cragin, Drake, Hamlin, Howell, McDonald, Morton, Osborne, Pomeroy, Rice, Sherman, Sprague, Stewart, Warner, Willey, Williams, and Wilson.

Whereupon

The Senate adjourned.

121334—S. Doc. 28, 66-1—14

MONDAY, MARCH 28, 1870.

Mr. Sherman submitted the following resolution for consideration :

Resolved, That the further consideration of the treaty of annexation with the Dominican Republic be postponed until the 1st day of May next, and that the President be requested to appoint three commissioners, with authority to proceed to said Republic and to collect full information as to the resources and conditions of said Republic, and especially as to their public debt and public lands, and to negotiate such modifications of the seventh article of said treaty as will definitely fix the amount of the liability of the United States under the said article, and the application of the money to be paid by the United States under said treaty.

The Senate resumed, as in Committee of the Whole, the consideration of the treaty for the annexation of the Dominican Republic signed on the 29th of November, 1869; and,

After debate,

On motion by Mr. Cragin that the doors be opened and that the Senate proceed to the consideration of legislative business,

It was determined in the affirmative.

So the motion was agreed to, and

The doors were opened.

TUESDAY, MARCH 29, 1870.

The Senate resumed, as in Committee of the Whole, the consideration of the treaty for the annexation of the Dominican Republic signed on the 29th of November, 1869.

After debate,

On motion by Mr. Hamlin, that the doors be opened and that the Senate proceed to the consideration of legislative business,

It was determined in the affirmative.

So the motion was agreed to; and

The doors were opened.

WEDNESDAY, MARCH 30, 1870.

The Senate resumed, as in Committee of the Whole, the consideration of the treaty for the annexation of the Dominican Republic, signed on the 29th of November, 1869, and

Pending debate thereon (Mr. Casserly on the floor), a message was received from the President of the United States, which being of a legislative character,

The Vice-President stated if not objected to the doors would be considered as opened, that the message might be read, and no objection being made, and

The message being read and other proceedings had thereon, as entered in the legislative journal,

Pending these proceedings,

Mr. Trumbull moved that the doors be opened; and

It was determined in the negative.

The proceedings on the message being closed,

The doors were again declared closed; and

Mr. Casserly resumed his remarks,

Upon the conclusion of which,

On motion by Mr. Fowler,

The Senate adjourned.

WEDNESDAY, APRIL 13, 1870.

Mr. Edmunds submitted the following resolution for consideration :

Resolved, That the injunction of secrecy be removed from the treaty for the annexation of the Dominican Republic, and the remarks of Senators made upon the said treaty.

The Senate proceeded, by unanimous consent, to consider the said resolution; and

On the question to agree thereto,

On motion by Mr. Pomeroy,

The Senate adjourned.

THURSDAY, APRIL 21, 1870.

The Senate resumed the consideration of the resolution submitted by Mr. Edmunds, the 13th instant, that the injunction of secrecy be removed from the treaty for the annexation of the Dominican Republic, and the remarks of Senators made upon the said treaty.

After debate,

On motion by Mr. Spencer that the said resolution lie on the table,

It was determined in the affirmative, { Yeas----- 29
Nays----- 20

On motion by Mr. Edmunds,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are :

Messrs. Ames, Boreman, Brownlow, Chandler, Cole, Corbett, Craig, Fenton, Flanagan, Hamilton of Texas, Hamlin, Harlan, Harris, McDonald, Morton, Norton, Nye, Osborn, Pomeroy, Pratt, Ramsay, Rice, Saulsbury, Scott, Stewart, Thayer, Willey, Williams, and Wilson.

Those who voted in the negative are :

Messrs. Anthony, Bayard, Buckingham, Davis, Edmunds, Ferry, Fowler, Hamilton of Maryland, Kellogg, McCreery, Morrill of Maine, Morrill of Vermont, Patterson, Revels, Robertson, Sawyer, Schurz, Spencer, Sumner, and Trumbull.

TUESDAY, MAY 31, 1870.

To the Senate of the United States:

I transmit to the Senate for consideration, with a view to its ratification, an additional article to the treaty of the 29th of November last, for the annexation of the Dominican Republic to the United States, stipulating for an extension of the time for exchanging the ratifications thereof, signed in this city on the 14th instant by the plenipotentiaries of the parties.

It was my intention to have also negotiated with the plenipotentiary of San Domingo amendments to the treaty of annexation to obviate objections which may be urged against the treaty as it is now worded. But on reflection I deem it better to submit to the Senate the propriety of their amending the treaty as follows: First, to specify that the obligations of this Government shall not exceed the one million five hundred thousand dollars stipulated in the treaty; secondly, to determine the manner of appointing the agents to receive and disburse the same; thirdly, to determine the class of creditors who shall take precedence in the settlement of their claims; and finally, to insert such amendments as may suggest themselves to the minds of Senators to carry out in good faith the conditions of the treaty submitted to the Senate of the United States in January last, according to the spirit and intent of that treaty. From the most reliable information I can obtain, the sum specified in the treaty will pay every just claim against the Republic of San Domingo and leave a balance sufficient to

carry on a territorial government until such time as new laws for providing a territorial revenue can be enacted and put in force.

I feel an unusual anxiety for the ratification of this treaty, because I believe it will redound greatly to the glory of the two countries interested, to civilization, and to the extirpation of the institution of slavery.

The doctrine promulgated by President Monroe has been adhered to by all political parties, and I now deem it proper to assert the equally important principle that hereafter no territory on this continent shall be regarded as subject of transfer to a European power.

The Government of San Domingo has voluntarily sought this annexation. It is a weak power, numbering probably less than one hundred and twenty thousand souls, and yet possessing one of the richest territories under the sun, capable of supporting a population of ten millions of people in luxury. The people of San Domingo are not capable of maintaining themselves in their present condition and must look for outside support. They yearn for the protection of our free institutions and laws, our progress and civilization. Shall we refuse them?

I have information, which I believe reliable, that a European power stands ready now to offer two millions of dollars for the possession of Samana Bay alone. If refused by us, with what grace can we prevent a foreign power from attempting to secure the prize?

The acquisition of San Domingo is desirable because of its geographical location. It commands the entrance to the Caribbean Sea and the Isthmus transit of commerce. It possesses the richest soil, best and most capacious harbors, most salubrious climate, and the most valuable products of the forest, mine, and soil of any of the West India Islands.

Its possession by us will in a few years build up a coastwise commerce of immense magnitude, which will go far toward restoring to us our lost merchant marine. It will give to us those articles which we consume so largely and do not produce, thus equalizing our exports and imports.

In case of foreign war it will give us command of all the islands referred to and thus prevent an enemy from ever again possessing himself of rendezvous upon our very coast.

At present our coast trade between the States bordering on the Atlantic and those bordering on the Gulf of Mexico is cut in two by the Bahamas and the Antilles. Twice we must, as it were, pass through foreign countries to get by sea from Georgia to the west coast of Florida.

San Domingo with a stable government, under which her immense resources can be developed, will give remunerative wages to tens of thousands of laborers not now on the island.

This labor will take advantage of every available means of transportation to abandon the adjacent islands and seek the blessings of freedom and its sequence—each inhabitant receiving the reward of his own labor. Porto Rico and Cuba will have to abolish slavery as a measure of self-preservation to retain their laborers.

San Domingo will become a large consumer of the products of northern farms and manufactories; the cheap rate at which her citizens can be furnished with food, tools, and machinery will make it necessary that the contiguous island should have the same advantages in order to compete in the production of sugar, coffee, tobacco, tropical fruits, etc. This will open to us a still wider market for our products.

The production of our own supply of these articles will cut off more than one hundred millions of our annual imports, besides largely increasing our exports. With such a picture it is easy to see how our large debt abroad is ultimately to be extinguished. With a balance of trade against us (including interest on bonds held against us by foreigners and money spent by our citizens traveling in foreign lands) equal to the entire yield of the precious metals in this country, it is not so easy to see how this result is to be otherwise accomplished.

The acquisition of San Domingo is an adherence to the Monroe doctrine; it is a measure of national protection; it is asserting our just claim to a controlling influence over the great commercial traffic soon to flow from east to west by the way of Isthmus of Darien; it is to build up our merchant marine; it is to furnish new markets for the products of our farms, shops, and manufactories; it is to make slavery insupportable in Cuba and Porto Rico at once, and ultimately in Brazil; it is to settle the unhappy condition of Cuba and end an exterminating conflict; it is to provide honest means of paying our honest debts without overtaxing the people; it is to furnish our citizens with the necessities

of life at cheaper rates than ever before; and it is, in fine, a rapid stride toward that greatness which the intelligence, industry, and enterprise of the citizens of the United States entitle this country to assume among nations.

U. S. GRANT.

EXECUTIVE MANSION, May 31, 1870.

The additional article of the treaty between the United States and the Dominican Republic, of the 29th November, 1869, for the annexation of that Republic to the United States, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said additional article be referred to the Committee on Foreign Relations, and with the message be printed in confidence for the use of the Senate.

WEDNESDAY, JUNE 8, 1870.

Mr. Sumner submitted the following resolution; which was considered by unanimous consent and agreed to:

Resolved, That the President of the United States be requested to communicate in confidence to the Senate the instructions of the Navy Department to the navy officers in command on the coast of Dominica and Haiti, and the reports of such officers to the Navy Department from the commencement of the negotiation of the treaty with Dominica.

Mr. Cameron submitted a motion that Thursday next, at 1 o'clock, be fixed for the consideration of the treaty for the annexation of the Dominican Republic.

Pending debate,

On motion by Mr. Stewart,

That the time fixed by the Senate for taking a recess be postponed from half past 4 to 5 o'clock p. m.,

It was determined in the affirmative, { Yeas----- 30
Nays----- 21

On motion by Mr. Davis,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Cameron, Chandler, Cole, Corbett, Drake, Gilbert, Hamilton of Texas, Hamlin, Harlan, Harris, Howard, Howe, Howell, Johnson, Morton, Nye, Osborn, Pomeroy, Rice, Ross, Scott, Sherman, Sprague, Stewart, Sumner, Thayer, Thurman, Warner, Willey, and Williams.

Those who voted in the negative are,

Messrs. Boreman, Buckingham, Casserly, Davis, Fowler, Hamilton of Maryland, Kellogg, McCreery, McDonald, Morrill of Maine, Morrill of Vermont, Pratt, Ramsey, Robertson, Saulsbury, Schurz, Stockton, Tipton, Trumbull, Vickers, and Yates.

So the motion was agreed to; and

The Senate proceeded with the consideration of the motion fixing Thursday next, at 1 o'clock, for the consideration of the treaty for the annexation of the Dominican Republic, and

After debate,

It was determined in the affirmative.

On motion by Mr. Schurz,

The Senate proceeded to the consideration of the resolution directing the Committee on Foreign Relations to inquire into the conduct.

of certain agents connected with the negotiation of the treaty for the annexation of the Dominican Republic.

On motion by Mr. Cameron to amend the resolution by striking out the words "Committee on Foreign Relations" and inserting in lieu thereof the words *select committee this day appointed by the Senate in legislative session*.

Pending debate,

The Vice-President announced that 5 o'clock, the time fixed by the Senate for taking a recess, had arrived,

Whereupon,

The executive session closed.

FRIDAY, JUNE 17, 1870.

To the Senate of the United States:

In answer to the resolution of the Senate of the 8th instant requesting the President "to communicate, in confidence, the instructions of the Navy Department to Navy officers in command on the coast of Dominica and Haiti, and the reports of such officers to the Navy Department, from the commencement of the negotiation of the treaty with Dominica," I herewith transmit the papers received from the Secretary of the Navy, to whom the resolution was referred.

U. S. GRANT.

EXECUTIVE MANSION, June 17, 1870.

On motion by Mr. Sumner,

Ordered, That the message of the President in reply to the resolution of the Senate of the 8th instant, communicating the instructions of the Navy Department to naval officers in command on the coast of Dominica and Haiti, lie on the table and be printed in confidence for the use of the Senate.

FRIDAY, JUNE 24, 1870.

On motion by Mr. Morton,

Ordered, That the treaty for the annexation of the Dominican Republic, signed on the 29th of November, 1869, be made the special order of the day for Monday next at 10 o'clock.

After debate,

On the question to agree thereto,

It was determined in the affirmative, two-thirds of the Senators present agreeing thereto.

WEDNESDAY, JUNE 29, 1870.

The Senate resumed, as in Committee of the Whole, the consideration of the treaty for the annexation of the Dominican Republic, signed on the 28th of November, 1869.

And, after debate,

The Vice-President announced that 5 o'clock, the time fixed by the Senate for taking a recess, had arrived.

Whereupon,

The executive session closed.

TUESDAY, JUNE 30, 1870.

The Senate resumed, as in Committee of the Whole, the consideration of the treaty for the annexation of the Dominican Republic, signed on the 29th November, 1869.

After debate,

On motion by Mr. Edmunds, that the consideration of the said treaty be postponed to the first Monday in December next,

It was determined in the negative.

On motion by Mr. Howard, to amend article 1 of the treaty by striking out the words "public lands and other property not specified excepted" and inserting in lieu thereof the following words:

And all other lands and territorial rights of said Republic, subject, however, to any lawful mortgage, pledge, hypothecation, or charge now existing on the same, such mortgage, pledge, hypothecation, or charge not to be impaired by this treaty,

It was determined in the affirmative.

On motion by Mr. Howard, to further amend the treaty by striking out all of article 6 and inserting in lieu thereof, as follows:

The money agreed to be paid by the United States under the convention shall be applied, through a commission consisting of two members (one of whom shall be appointed by each Government), to the redemption of the public debt of the Dominican Republic. It shall be applied, first, to the payment of such part, if any, of the foreign debt of the Republic as may be due or held by other governments or nations; and, secondly, to so much of the said foreign debt as may be due to individuals not citizens of San Domingo; and, thirdly, to the payment of the domestic debt of the Republic of San Domingo; and after the execution and ratification of this treaty the Dominican Republic shall make no grant, concession, pledge, mortgage, or hypothecation of lands or rights in lands, and shall contract no further debts. The United States are, in no event, to be liable for the payment of any debt, of whatever kind or description, of said Dominican Republic, or any part thereof, or any interest thereon, or any obligation of the Dominican Republic; but the United States are at liberty to take such measures as they may deem proper to procure a discharge and release of the public lands or any part thereof, mentioned in article 3 of this treaty, from such pledge, mortgage, hypothecation, or charge, and thereupon the titles in fee simple of said public lands, so discharged and released, shall vest in the United States, and whenever by any other means any such public lands shall become free from such pledge, mortgage, hypothecation, or charge, such public lands shall be and become the absolute property of the United States.

It was determined in the affirmative.

On motion by Mr. Howard, to further amend the treaty by inserting after "the United States," where it occurs the second time in article 7, the words: *or this treaty,*

It was determined in the affirmative.

On motion by Mr. Howard, to further amend the treaty by striking out all of article 8, and inserting in lieu thereof, as follows:

Religion shall be forever free in the territory hereby ceded to the United States; the government of the same, whether provisional, territorial, or otherwise, shall never prohibit or in any way punish or restrain the free exercise thereof, nor shall any person be called in question for his opinions on the subject of religion; and the principles and forms of the common law, so far as applicable to the circumstances and condition of the people thereof, shall be enforced by the authorities thereof unless altered by legislation,

It was determined in the affirmative.

No further amendment being made to the treaty, it was reported to the Senate, and the amendments made in Committee of the Whole were concurred in; and no further amendments being proposed to the treaty,

Mr. Sumner submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty for the annexation of the

Dominican Republic, signed on the 29th of November, 1869, with the following amendment:

ARTICLE 1. Strike out the words "public lands and other property not specified excepted," and insert in lieu thereof the following words:

And all other land and territorial rights of said Republic, subject, however, to any lawful mortgage, pledge, hypothecation, or charge now existing on the same, such mortgage, pledge, hypothecation, or charge not to be impaired by this treaty.

Strike out all of article 6, and insert in lieu thereof the following:

The money agreed to be paid by the United States under this convention shall be applied, through a commission consisting of two members (one of whom shall be appointed by each Government), to the redemption of the public debt of the Dominican Republic. It shall be applied, first, to the payment of such part, if any, of the foreign debt of the Republic as may be due to, or may be held by, other governments or nations; and, secondly, to so much of the said foreign debt as may be due to individuals, not citizens of San Domingo; and, thirdly, to the payment of the domestic debt of the Republic of San Domingo; and after the execution and ratification of this treaty, the Dominican Republic shall make no grant, concession, pledge, mortgage, or hypothecation in lands, or rights in lands, and shall contract no further debts. The United States are in no event to be liable for the payment of any debts of whatever kind or description of said Dominican Republic, or any part thereof, or any interest thereon, or for any obligation of the Dominican Republic; but the United States are at liberty to take such measures as they may deem proper to procure a discharge and release of the public lands or any part thereof, mentioned in article 3 of this treaty, from such pledge, mortgage, hypothecation, or charge, and thereupon the title in fee simple of said public lands, so discharged and released, shall vest in the United States; and whenever, by any other means, any such public lands shall become free from said pledge, mortgage, hypothecation, or charge, such public lands shall be and become the absolute property of the United States.

ARTICLE 7. Insert after the words "United States," where it occurs the second time, the words: *this treaty.*

Strike out all of article 8, and in lieu thereof insert as follows:

Religion shall be forever free in the territory hereby ceded to the United States. The government of the same, whether provisional, territorial, or otherwise, shall never prohibit, or in any way punish or restrain the exercise thereof, nor shall any person be called in question for his opinion on the subject of religion; and the principles and the forms of the common law, so far as applicable to the circumstances and condition of the people thereof, shall be enforced by the authorities thereof unless altered by legislation.

The Senate proceeded, by unanimous consent, to consider the said resolution, and

On the question to agree thereto,

It was determined in the negative, two-thirds of the Senators present not concurring therein.

Those who voted in the affirmative are,

Messrs. Abbott, Brownlow, Cameron, Cattell, Chandler, Cole, Conkling, Corbett, Drake, Fenton, Hamlin, Harlan, Howard, Howell, McDonald, Morton, Nye, Osborn, Ramsey, Revels, Rice, Spencer, Sprague, Stewart, Thayer, Warner, Williams, and Wilson.

Those who voted in the negative are,

Messrs. Boreman, Casserly, Cragin, Davis, Edmunds, Ferry, Fowler, Hamilton of Maryland, Harris, Johnston, McCreery, Morrill of Maine, Morrill of Vermont, Patterson, Pool, Pratt, Robertson, Ross, Saulsbury, Sawyer, Schurz, Scott, Stockton, Sumner, Thurman, Tipton, Vickers, and Willey.

So the treaty was rejected.

Mr. Pomeroy asked and obtained unanimous consent to have inserted in the Journal in connection with the vote on the treaty for the annexation of the Dominican Republic, signed on the 29th No-

vember, 1869, the following statement, showing how certain Senators who had paired would have voted had they been present.

Messrs. Ames and Hamilton of Texas, in favor of the treaty, paired with Mr. Kellogg, opposed to it.

Messrs. Anthony and Carpenter, in favor of the treaty, paired with Mr. Bayard, opposed to it.

Messrs. Gilbert and Pomeroy, in favor of the treaty, paired with Mr. Yates, opposed to it.

Mr. Howe, in favor of the treaty, paired with Mr. Buckingham, opposed to it.

TREATY WITH BELGIUM, CONCERNING EXTRADITION, 1874.

FRIDAY, MARCH 20, 1874.

The following messages were received from the President of the United States, by Mr. Babcock, his secretary:

To the Senate of the United States:

I transmit herewith, for the consideration of the Senate, and with a view to its ratification, a convention concluded between the United States and Belgium on the 19th March, 1874, concerning extradition.

U. S. GRANT.

WASHINGTON, March 20, 1874.

The convention concluded between the United States and Belgium on the 19th March, 1874, concerning extradition, was read the first time.

Ordered, That the said convention be referred to the Committee on Foreign Relations, and, together with the message, be printed in confidence for the use of the Senate.

FRIDAY, MARCH 27, 1874.

Mr. Cameron, from the Committee on Foreign Relations, to whom was referred, the 20th instant, the convention concluded between the United States and Belgium on the 19th of March, 1874, concerning extradition, reported the same without amendment.

On motion by Mr. Cameron,

The said convention was read the second time, and considered as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Mr. Cameron submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the convention concluded between the United States and Belgium on the 19th of March, 1874, concerning extradition.

The Senate proceeded, by unanimous consent, to consider the said resolution; and,

On the question to agree thereto,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

WEDNESDAY, APRIL 8, 1874.

Mr. Cameron submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the resolution of the Senate of the 27th of March advising and consenting to the ratification of the convention concluded between the United

States and Belgium on the 19th of March, 1874, concerning extradition be, and the same is hereby, reconsidered, and that the President be requested to return the said convention and resolution to the Senate.

FRIDAY, APRIL 10, 1874.

Mr. Cameron submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the resolution of the Senate, of the 8th Instant, reconsidering the resolution of the 27th of March, advising and consenting to the ratification of the convention concluded between the United States and Belgium on the 19th of March, 1874, concerning extradition; and requesting the President to return the said convention and resolution to the Senate, be, and the same is hereby, rescinded.

TREATY WITH MEXICO, 1882.

Convention providing for reopening and retrying the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico.

WEDNESDAY, JULY 26, 1882.

The following messages were received from the President of the United States, by Mr. Pruden, one of his secretaries:

To the Senate of the United States:

I transmit herewith, with a view to its ratification, a convention between the United States and Mexico, providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, signed on the 13th day of July, 1882.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, Washington, July 20, 1882.

The convention between the United States and Mexico providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, signed on the 13th day of July, 1882, was read the first time.

On motion by Mr. Windom,

Ordered, That the said convention be referred to the Committee on Foreign Relations and, together with the message and accompanying documents, be printed in confidence for the use of the Senate.

THURSDAY, JULY 27, 1882.

Mr. Voorhees presented the memorial of John J. Key protesting against the ratification of the convention between the United States and Mexico, providing for the reopening and retrying of the claim of the La Abra Silver Mining Company against Mexico; which was referred to the Committee on Foreign Relations and ordered to be printed in confidence for the use of the Senate.

MONDAY, AUGUST 7, 1882.

Mr. Windom, from the same committee, to whom was referred, the 26th July, the convention between the United States and Mexico, providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, signed on the 13th day of July, 1882, reported the same without amendment.

Mr. Windom, from the same committee, presented the memorial of

the La Abra Silver Mining Company of New York, protesting against the ratification of the convention between the United States and Mexico, providing for the reopening and retrying of the claims of the La Abra Silver Mining Company against Mexico; which was ordered to be printed in confidence for the use of the Senate.

Mr. Morgan, from the Committee on Foreign Relations, to whom was referred, the 3d instant, the convention concluded on the 29th of July, 1882, between the United States and Mexico, providing for an international boundary survey to relocate the existing frontier line between the two countries west of the Rio Grande, reported the same without amendment.

FRIDAY, JANUARY 12, 1883.

On motion by Mr. Windom,

The convention between the United States and Mexico providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, signed on the 13th day of July, 1882, was read the second time and considered as in Committee of the Whole.

Pending debate,

On motion by Mr. Dawes, at 5 o'clock and 20 minutes p. m.,

The doors were opened; and

The Senate adjourned.

SATURDAY, JANUARY 13, 1883.

The Senate resumed, as in Committee of the Whole, the consideration of the convention between the United States and Mexico, providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, signed on the 13th day of July, 1882.

Pending debate,

On motion by Mr. Brown, at 5 o'clock and 14 minutes p. m., that the Senate adjourn,

It was determined in the negative,	{ Yeas-----	21
	{ Nays-----	28

On motion by Mr. Windom,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Barrow, Beck, Brown, Call, Coke, George, Jackson, Jonas, Lamar, Logan, Maxey, Pendleton, Plumb, Pugh, Saulsbury, Slater, Vance, Vest, Voorhees, Walker, and Williams.

Those who voted in the negative are,

Messrs. Aldrich, Allison, Anthony, Blair, Cameron of Wisconsin, Chilcott, Conger, Davis of West Virginia, Edmunds, Frye, Gorman, Groome, Harrison, Hawley, Hill, Hoar, Ingalls, Johnston, Lapham, McDill, McMillan, Mahone, Morgan, Morrill, Rollins, Sawyer, and Sherman.

So the motion was not agreed to.

After further debate,

On motion by Mr. Windom, at 5 o'clock and 36 minutes p. m.,

The doors were opened; and

The Senate adjourned.

MONDAY, JANUARY 15, 1883.

The Senate resumed, as in Committee of the Whole, the consideration of the convention between the United States and Mexico providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, signed on the 13th day of July, 1882; and

After debate,

No amendment being made, it was reported to the Senate.

Mr. Windom submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the convention between the United States and Mexico, providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, signed on the 13th day of July, 1882.

The Senate proceeded, by unanimous consent, to consider the said resolution; and

On the question to agree thereto,

It was determined in the negative, { Yeas ----- 33
Nays ----- 20

Those who voted in the affirmative are,

Messrs. Anthony, Blair, Cameron of Wisconsin, Chilcott, Conger, Davis of Illinois, Dawes, Edmunds, Frye, George, Gorman, Hampton, Harrison, Hawley, Hill, Hoar, Jackson, Johnston, Jones of Florida, Lapham, McDill, McMillan, Miller of California, Morgan, Morrill, Pendleton, Platt, Pugh, Ransom, Rollins, Saulsbury, Sawyer, and Sewell.

Those who voted in the negative are,

Messrs. Barrow, Brown, Call, Coke, Davis of West Virginia, Farley, Garland, Grover, Ingalls, Jonas, Jones of Nevada, Lamar, Logan, Maxey, Slater, Vest, Voorhees, Walker, Williams, and Windom.

So the resolution was not agreed to, two-thirds of the Senators present not having voted in the affirmative.

On motion by Mr. Windom that the Senate reconsider its vote disagreeing to the resolution of ratification,

On motion by Mr. Vest to lay the said motion on the table,

On motion by Mr. Windom, at 6 o'clock and 35 minutes p. m.,

The doors were opened; and

The Senate adjourned.

MONDAY, FEBRUARY 12, 1883.

Mr. Jonas presented the memorial of P. S. Wiltz, administrator of the estate of Benjamin Weil and of widow and child of said Weil, against the ratification of the convention between the United States and Mexico providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico; which was referred to the Committee on Foreign Relations.

FRIDAY, MARCH 6, 1885.

On motion by Mr. Miller,

The following executive documents were taken from the files of the Senate, read the first time, and referred to the Committee on Foreign Relations, viz:

Convention (Executive M) between the United States and Mexico, providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, signed on the 13th day of July, 1882.

MONDAY, MARCH 16, 1885.

Mr. Miller, of California, from the same committee, to whom was referred, the 6th instant, the convention (Executive M) between the United States and Mexico, providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, signed on the 13th day of July, 1883, reported the same with amendments.

FRIDAY, MARCH 20, 1885.

The convention between the United States and Mexico for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, signed on the 13th day of July, 1883, was read the second time and considered as in Committee of the Whole.

Pending debate,

On motion by Mr. Morgan,

Ordered, That the further consideration thereof be postponed to to-morrow.

On motion by Mr. Sherman, at 3 o'clock and 16 minutes p. m.,

The doors were opened; and

The Senate adjourned.

SATURDAY, MARCH 21, 1885.

The Senate resumed, as in Committee of the Whole, the consideration of the convention between the United States and Mexico providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, on the 13th day of July, 1883.

Pending debate,

On motion by Mr. Sherman,

Ordered, That the further consideration thereof be postponed to Monday next.

On motion by Mr. Sherman, at 3 o'clock and 45 minutes p. m.,

The doors were opened; and

The Senate adjourned to meet on Monday next.

MONDAY, MARCH 23, 1885.

The Senate resumed, as in Committee of the Whole, the consideration of the convention (Executive M) between the United States and Mexico relative to the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico.

Pending debate,

On motion by Mr. Teller, at 4 o'clock and 34 minutes p. m.,

The doors were opened; and

The Senate adjourned.

TUESDAY, MARCH 24, 1885.

The Senate resumed, as in Committee of the Whole, the consideration of the convention (Executive M) between the United States and Mexico relative to the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico.

Pending debate,

On motion by Mr. Voorhees, at 5 o'clock and 37 minutes p. m.,

The doors were opened; and

The Senate adjourned.

WEDNESDAY, MARCH 25, 1885.

The Senate resumed, as in Committee of the Whole, the consideration of the convention (Executive M) between the United States and Mexico relative to the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico.

Pending debate,

On motion by Mr. Vest, at 4 o'clock and 12 minutes p. m.,

The doors were opened; and

The Senate adjourned.

THURSDAY, MARCH 26, 1885.

The Senate resumed, as in Committee of the Whole, the consideration of the convention (Executive M) between the United States and Mexico, relative to the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico.

After debate,

On motion by Mr. Hale that the further consideration thereof be postponed to the second Tuesday in December next,

It was determined in the affirmative,	{ Yeas-----	26
	{ Nays-----	25

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allison, Blair, Call, Colquitt, Dawes, Frye, George, Gray, Hale, Hawley, Jackson, McMillan, McPherson, Manderson, Miller of California, Miller of New York, Morgan, Morrill, Pike, Platt, Pugh, Sawyer, Sewell, Spooner, Teller, and Wilson of Iowa.

Those who voted in the negative are,

Messrs. Beck, Berry, Blackburn, Bowen, Brown, Cameron, Chace, Conger, Cullom, Dolph, Eustis, Evarts, Gibson, Ingalls, Jones of Arkansas, Kenna, Mahone, Mitchell, Payne, Plumb, Riddleberger, Sabin, Sherman, Vest, and Voorhees.

So the motion was agreed to; and

The said convention was postponed to the second Tuesday in December next.

On motion by Mr. Allison, at 3 o'clock and 40 minutes p. m.,

The doors were opened; and

The Senate resumed the consideration of legislative business.

MONDAY, FEBRUARY 3, 1886.

The President pro tempore laid before the Senate the petition of George Ticknor Curtis, counsel for the La Abra Silver Mining Company, praying the Senate to take final action on the convention between the United States and Mexico providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, which was ordered to lie on the table.

* * * * *

THURSDAY, MARCH 25, 1886.

Mr. Logan presented the petition of Robert C. Schenck and others respecting the La Abra Silver Mining Company and its assigns, praying for action on the pending convention with Mexico; which was referred to the Committee on Foreign Relations.

THURSDAY, APRIL 15, 1886.

On motion by Mr. Sherman,

The Senate proceeded to consider the Calendar of Treaties; and thereupon,

The convention (Executive M) between the United States and Mexico providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, signed on the 13th day of July, 1883, was laid before the Senate and read a second time, and considered as in Committee of the Whole; and

After debate,

On motion by Mr. Sherman,

The further consideration thereof was postponed until to-morrow.

FRIDAY, APRIL 16, 1886.

The Senate resumed, as in Committee of the Whole, the consideration of the convention between the United States and Mexico providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company, signed on the 13th day of July, 1882, and the amendments reported by the Committee on Foreign Relations having been unanimously agreed to, and no further amendment being made, it was reported to the Senate, and the amendments were unanimously concurred in; and no further amendment being reported,

Mr. Morgan submitted the following resolution, the consideration of which was passed over under the rule:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the convention between the United States and Mexico, providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, signed on the 13th day of July, 1882, with the following amendments:

Strike out in Article V, in the sixth line, all after the word, "consideration," down to and including the word "parties," in the eleventh line, and strike out

In the thirteenth line of Article V the words "vested rights," and insert in the lieu thereof the words *any of such claims* after the word "of."

Also strike out in Article VI, in the third line, after the word "no," the words "vested rights," and insert in lieu thereof the word *claims*.

On motion by Mr. Edmunds, at 4 o'clock and 58 minutes p. m.,
The doors were opened; and
The Senate adjourned.

MONDAY, APRIL 19, 1886.

The president pro tempore laid before the Senate the unfinished business of the Senate at its last adjournment, viz, the convention (Executive M) between the United States and Mexico, providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, signed on the 13th day of July, 1882, the pending question being on agreeing to the resolution of ratification.

Pending debate,

Mr. Morgan, by unanimous consent, submitted the following resolution; which was considered by unanimous consent and agreed to:

Resolved, That the Secretary of State be hereby requested to ask from the Mexican minister at Washington, if he can, to obtain and send to the Senate in executive session the original press copy book of the La Abra Silver Mining Company, and the other original papers and documents described in the letter of M. D. Zamacona to Mr. Everts, Secretary of State, dated January 11, 1879, and receipted for by Juan N. Navarro to the chief clerk of the State Department on the 6th November, 1880, said papers to be returned to the minister of the Government of Mexico.

On motion by Mr. Voorhees the vote agreeing to the forgoing resolution was reconsidered.

The question recurring on agreeing to the resolution,

Pending debate,

On motion by Mr. McPherson, at 5 o'clock and 55 minutes p. m.,

The doors were opened; and

The Senate adjourned.

FRIDAY, APRIL 20, 1886.

The President pro tempore laid before the Senate the unfinished business of the Senate at its last adjournment, viz, the convention (Executive M) between the United States and Mexico, providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, signed on the 13th day of July, 1882.

The pending question being on agreeing to the resolution of ratification.

After debate,

On the question to agree thereto,

It was determined in the negative.	{ Yeas-----	32
	{ Nays-----	26

On motion by Mr. Morgan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Aldrich, Berry, Call, Chace, Colquitt, Cullom, Dawes, Dolph, Edmunds, Frye, George, Hampton, Harris, Harrison, Hawley, Hearst, Hoar, Jones of Arkansas, McMillan, McPherson, Morgan,

Morrill, Palmer, Payne, Pike, Platt, Saulsbury, Sawyer, Sewell, Teller, Walthall, Wilson, and Palmer.

Those who voted in the negative are,
Messrs. Allison, Blackburn, Bowen, Brown, Butler, Camden, Cockrell, Coke, Conger, Eustis, Evarts, Gibson, Gorman, Gray, Ingalls, Jones of Nevada, Logan, Mahone, Maxey, Plumb, Riddleberger, Sherman, Stanford, Vance, Vest, and Voorhees.

So it was

Resolved, That the Senate do not advise and consent to the ratification of the convention (Executive M) between the United States and Mexico, Providing for the reopening and retrying of the claims of Benjamin Weil and La Abra Silver Mining Company against Mexico, signed on the 13th day of July, 1882, two-thirds of the Senators present not having voted in the affirmative.

Ordered, That the Secretary of the Senate lay the said resolution before the President of the United States.

Mr. Morgan submitted the following resolution for consideration :

Resolved, That the injunction of secrecy be removed from the convention with Mexico, concluded on the 13th day of July, 1882, and from all the papers of a confidential character pertaining to said convention, and from all votes upon said convention, or any amendments thereto.

THURSDAY, APRIL 29, 1886.

On motion by Mr. Morgan,

The Senate proceeded to consider the resolution submitted by him the 20th instant to remove the injunction of secrecy from the convention with Mexico, concluded on the 13th day of July, 1882.

Pending debate,

Mr. Morgan modified his resolution by striking out the words, "and from all votes upon said convention or any amendments thereto."

Pending further debate,

On motion by Mr. Edmunds, at 6 o'clock and 5 minutes p. m.,

The doors were opened; and

The Senate adjourned.

WEDNESDAY, MAY 5, 1886.

The Senate resumed the consideration of the resolution submitted by Mr. Morgan the 20th ultimo; and

The resolution was agreed to as follows:

Resolved, That the injunction of secrecy be removed from the convention with Mexico concluded on the 13th day of July, 1882, and from all the papers of a confidential character pertaining to said convention.

TREATY WITH BELGIUM, 1884.

CONVENTION FOR REGULATING RIGHTS IN PROPERTY, ETC.

WEDNESDAY, DECEMBER 3, 1884.

The following messages were received from the President of the United States, by Mr. Pruden, one of his secretaries:

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, a convention for regulating the right of succession to and acquisition of property, etc., concluded between the United States and Belgium on the 4th ultimo.

CHESTER A. ARTHUR,

EXECUTIVE MANSION,

Washington, December 3, 1884.

121334—S. Doc. 26, 66-1—15

The following conventions were read the first time and severally referred to the Committee on Foreign Relations and, with the accompanying message, ordered to be printed in confidence for the use of the Senate, viz:

Convention (Executive B) for regulating the right of succession and the acquisition of property, concluded between the United States and Belgium, November 4, 1884.

WEDNESDAY, FEBRUARY 18, 1885.

The following messages were received from the President of the United States, by Mr. Pruden, one of his secretaries:

* * * * *

To the Senate of the United States:

Referring your honorable body to the message of December 1, 1884, by which I transmitted to the Senate, with a view to ratification, a treaty negotiated with Belgium, touching the succession to and acquirement of real property, etc., by the citizens or subjects of the one government in the domain of the other, I now address you in order to recall the treaty thus transmitted for reexamination.

CHESTER A. ARTHUR.

WASHINGTON, February 17, 1885.

The messages were read.

Ordered, That, in compliance with the request of the President of this day, the Secretary be directed to return to him the convention for regulating the right of succession to and acquisition of property, concluded between the United States and Belgium, November 4, 1884.

TREATY WITH SPAIN, 1884.

CONVENTION FOR COMMERCIAL RECIPROCITY WITH SPAIN:

WEDNESDAY, DECEMBER 10, 1884.

The following messages were received from the President of the United States, by Mr. Pruden, one of his secretaries:

* * * * *

To the Senate of the United States:

I transmit to the Senate for consideration, with a view to its ratification, a convention for commercial reciprocity between the United States and Spain, providing for an intimate and favored exchange of products with the islands of Cuba and Porto Rico, signed at Madrid November 18, 1884.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,

Washington, December 10, 1884.

The convention for commercial reciprocity between the United States and Spain providing for an intimate and favored exchange of products with the islands of Cuba and Porto Rico, signed at Madrid November 18, 1884, was read the first time.

On motion by Mr. Miller of California,

Ordered, That the injunction of secrecy be removed from the text of the said convention, and that it be referred to the Committee on Foreign Relations and, together with the message, be printed for the use of the Senate.

On motion by Mr. Allison,

Ordered, That the said convention be printed in the Congressional Record.

Mr. Miller of California submitted a resolution that 2,000 extra copies of the said convention be printed for the use of the Senate; which was referred to the Committee on Printing.

Mr. Manderson, from the Committee on Printing, to whom was referred the foregoing resolution, reported the same without amendment.

The Senate proceeded, by unanimous consent, to consider the said resolution; and

Resolved, That the Senate agree thereto.

THURSDAY, DECEMBER 11, 1884.

Mr. Sherman submitted the following resolution; which was referred to the Committee on Foreign Relations, viz:

Resolved, That the convention for commercial reciprocity with Spain, communicated to the Senate on the 10th instant, be considered in open Senate.

TUESDAY, DECEMBER 16, 1884.

On motion by Mr. Sherman, and by unanimous consent,

Ordered, That the injunction of secrecy be removed from the memorials relative to the commercial treaty (Executive E) with Spain, and that they be transferred to the legislative journal.

THURSDAY, FEBRUARY 26, 1885.

The following messages were received from the President of the United States, by Mr. Pruden, one of his secretaries:

* * * * *

To the Senate of the United States:

I transmit to the Senate for its consideration, with a view to ratification, a provisional article of agreement modifying the latter clause of Article XXVI of the pending commercial treaty between the United States and Spain, concluded November 18, 1884, so as to extend the time for the approval of the laws necessary to carry the said treaty into operation, if ratified.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, February 26, 1885.

The provisional article (Executive O) of agreement modifying the latter clause of article 26 of the pending commercial treaty between the United States and Spain, concluded November 18, 1884, was read the first time.

On motion by Mr. Morgan,

Ordered, That the said provisional article be referred to the Committee on Foreign Relations and, together with the message, be printed in confidence for the use of the Senate.

MONDAY, MARCH 2, 1885.

The following messages were received from the President of the United States, by Mr. Pruden, one of his secretaries:

* * * * *

To the Senate of the United States:

Referring to my message to the Senate of the 25th instant by which I transmitted, with a view to ratification, an additional article to the commercial

treaty with Spain concluded November 18, 1884, I now have the honor to request the return of that instrument.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *February 28, 1885.*

To the Senate of the United States:

I herewith transmit to the Senate, with a view to examination and sanction by that body, a treaty signed in this city to-day by the Secretary of State and the Spanish minister, consisting of four supplementary articles amendatory of the commercial treaty of November 18, 1884, between the United States and Spain, which is now pending in the Senate. The accompanying report of the Secretary of State recites the particulars of the modifications which have been made in deference to the representations made on behalf of important commercial interests of the United States, whereby it is believed all well-founded objections on their part to the ratifications of that treaty are obviated.

CHESTER A. ARTHUR,

EXECUTIVE MANSION,
Washington, March 2, 1885.

The four supplementary articles amendatory of the pending commercial treaty of November 18, 1884, between the United States and Spain were read the first time.

On motion by Mr. Morrill,

Ordered, That the said articles, together with the message and accompanying documents, be printed in confidence for the use of the Senate.

On motion by Mr. Miller of California,

Ordered, That in compliance with the request of the President of the United States, of this day, the Secretary be directed to return to him the additional article to the commercial treaty with Spain concluded November 18, 1884.

WEDNESDAY, DECEMBER 3, 1884.

Mr. Lapham presented the petition of citizens of Utica, N. Y., requesting the Senate to vote against the clause in the new Spanish treaty relating to the reduction of the import duty on cigars, which was referred to the Committee on Foreign Relations.

TUESDAY, DECEMBER 9, 1884.

Mr. Lapham presented the memorial of A. F. Upton, treasurer and general manager of the Jarvis Engineering Company, of Boston, Mass., in favor of the proposed commercial treaty between the United States and Spain.

Also a memorial of cigar makers of the State of New York, remonstrating against the acceptance of the proposed commercial treaty between the United States and Spain.

WEDNESDAY, DECEMBER 10, 1884.

Memorials of cigar makers, remonstrating against the clause in the Spanish treaty relating to the import duty on cigars were presented as follows, viz:

By Mr. Conger: Four memorials of cigar makers of Michigan.

By Mr. Lapham: Three memorials of cigar makers of the State of New Jersey.

By Mr. Sewell: Two memorials of cigar makers of the State of New Jersey.

By Mr. Wilson: One memorial of cigar makers of the State of Iowa.

Ordered, That they be referred to the Committee on Foreign Relations.

THURSDAY, DECEMBER 11, 1884.

Memorials of cigar makers, remonstrating against the clause in the Spanish treaty relating to the import duty on cigars were presented as follows:

By Mr. Sherman. Four memorials of cigar makers of the State of Ohio.

By Mr. Logan. A memorial of cigar makers of the State of Illinois.

By Mr. Lapham. A memorial of cigar makers of the State of New York.

TUESDAY, DECEMBER 16, 1884.

Memorials were presented as follows, viz:

By Mr. Mitchell: Seven memorials of cigar makers of Pennsylvania, remonstrating against the clause in the Spanish treaty relating to the import duty on cigars.

CONVENTION CONCERNING THE EXTRADITION OF PERSONS CHARGED WITH CRIME, SIGNED AT LONDON, JUNE 25, 1886.

MONDAY, DECEMBER 12, 1887.

On motion by Mr. Sherman,

Ordered, That the following conventions, declarations, treaty, and additional article be again referred to the Committee on Foreign Relations, viz:

Convention (Executive H) between the United States and Great Britain concerning the extradition of persons charged with crime, signed at London, June 25, 1886, being an amended extension of the provisions of Article X of the treaty of 1842.

WEDNESDAY, JANUARY 4, 1888.

Mr. Dawes presented a petition of the Father Matthew Total Abstinence Society of Lawrence, Mass., praying the defeat of a certain treaty now pending between the United States and Great Britain.

TUESDAY, JANUARY 12, 1888.

Mr. Morgan, from the Committee on Foreign Relations, to whom was referred, the 12th December last, the convention (Executive H) between the United States and Great Britain concerning the extradition of persons charged with crimes, signed at London, June 25, 1886, being an amended extension of Article X of the treaty of 1842, reported it with an additional amendment; which was ordered to be printed in confidence for the use of the Senate.

MONDAY, JANUARY 30, 1888.

Mr. Riddleberger submitted the following resolution for consideration:

Resolved, That the pending treaty between this Government and that of Great Britain be considered in open session.

On motion by Mr. Riddleberger,

The Senate proceeded, by unanimous consent, to consider the said resolution; and

After debate,

On the question to agree thereto,

It was determined in the negative,	{ Yeas -----	11
	{ Nays -----	38

On motion by Mr. Riddleberger,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Blair, Cullom, Daniel, Dawes, Eustis, Ingalls, Platt, Reagan, Sawyer, Stewart, and Teller.

Those who voted in the negative are,

Messrs. Allison, Bate, Beck, Berry, Blodgett, Call, Chance, Chandler, Cockrell, Coke, Colquitt, Davis, Edmunds, Evarts, Faulkner, George, Gorman, Gray, Harris, Hawley, Hearst, Hiscock, Hoar, Kenna, McPherson, Morgan, Paddock, Pasco, Pugh, Quay, Ransom, Riddleberger, Sabin, Saulsbury, Spooner, Turpie, Vest, and Walthall.

So the resolution was not agreed to.

WEDNESDAY, FEBRUARY 1, 1888.

The Senate resumed the second reading of the convention (Executive H) between the United States and Great Britain concerning the extradition of persons charged with crime, signed at London, June 25, 1886, being an amended extension of the provisions of Article X of the treaty of 1842.

Pending which,

On motion by Mr. Call, at 4 o'clock and 55 minutes p. m.,

The doors were opened; and

The Senate adjourned.

THURSDAY, FEBRUARY 2, 1888.

The convention (Executive H) between the United States and Great Britain, concerning the extradition of persons charged with crime, signed at London June 25, 1886, being an amended extension of Article X of the treaty of 1842, having been read the second time, was considered as in the Committee of the Whole.

On the question to agree to the following amendment reported from the Committee on Foreign Relations, viz: Insert after the words "injuries to" in the first line of clause 4, in Article I, the words *persons or*; and after the word "property," in the same line, insert the words *by the use of explosives, or malicious injuries or obstructions to railroads*; and after the words "high contracting parties." in the last line of the same clause, add the following words: *or according to the laws of that political division of either country in which the offense shall have been committed, and of that political division of either country in which the offender shall be arrested.*

Pending debate.

On motion by Mr. Paddock, at 4 o'clock and 20 minutes p. m.,

The doors were opened; and

The Senate adjourned.

MONDAY, FEBRUARY 6, 1888.

The Senate resumed, as in Committee of the Whole, the consideration of convention (Executive H) between the United States and Great Britain, concerning the extradition of persons charged with crime, signed at London June 25, 1886, being an amended extension of Article X of the treaty of 1842, the question being on agreeing to the amendment reported from the Committee on Foreign Relations.

Pending debate,

On motion by Mr. Allison, at 5 o'clock and 32 minutes p. m.,

The doors were opened; and

The Senate adjourned.

TUESDAY, FEBRUARY 7, 1888.

The Senate resumed, as in Committee of the Whole, the consideration of the convention (Executive H) between the United States and Great Britain concerning the extradition of persons charged with crime, signed at London, June 25, 1886, being an amended extension of Article X of the treaty of 1842.

The question being on agreeing to the amendment reported from the Committee on Foreign Relations,

After debate,

On motion by Mr. Edmunds to amend the reported amendment by inserting after the word "explosives," in the second line of clause 4, the words *whereby the life of any person shall be endangered*,

Pending debate,

On motion by Mr. Evarts, at 4 o'clock and 35 minutes p. m.,

The doors were opened; and

The Senate adjourned.

WEDNESDAY, FEBRUARY 8, 1888.

The Senate resumed, as in Committee of the Whole, the consideration of the convention (Executive H) between the United States and Great Britain concerning the extradition of persons charged with crime, signed at London, June 25, 1886, being an amended extension of Article X of the treaty of 1842; and

The question being on agreeing to the amendment proposed by Mr. Edmunds to the amendment reported from the Committee on Foreign Relations,

Pending debate,

On motion by Mr. Stewart that the further consideration of the said convention be postponed to the first Monday in December next,

It was determined in the affirmative,	{ Yeas-----	23
	{ Nays-----	21

On motion by Mr. Edmunds,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Berry, Call, Chandler, Coke, Daniel, Eustis, Evarts, Gibson, Hoar, Ingalls, Jones of Arkansas, Kenna, McPherson, Mitchell, Morgan, Paddock, Platt, Riddleberger, Stewart, Teller, Vest, Voorhees, and Wilson of Iowa.

Those who voted in the negative are,
Messrs. Bate, Beck, Cockrell, Cullom, Davis, Dolph, Edmunds, Gray, Hampton, Harris, Hawley, Hiscock, Pasco, Payne, Reagan, Sabin, Saulsbury, Stockbridge, Turpie, Walthall, and Wilson of Maryland.

So the motion was agreed to; and

The further consideration of the said convention was postponed to the first Monday in December next.

THURSDAY, FEBRUARY 9, 1888.

Mr. Eustis submitted the following resolution for consideration :

Resolved, That the injunction of secrecy be removed as regards the vote on the motion to postpone the consideration of the British treaty to the first Monday in December next, and that the same be printed in the Record.

MONDAY, FEBRUARY 20, 1888.

Mr. Chandler submitted the following resolution for consideration :

Resolved, That the injunction of secrecy be removed from the text of the treaty (Executive H) of extradition between the United States and Great Britain, signed at London June 25, 1886.

FRIDAY, FEBRUARY 24, 1888.

Mr. Dawes presented a petition of bankers of Boston, Mass., praying the ratification of the treaty with Great Britain for the extradition of defaulters.

The President pro tempore laid before the Senate the unfinished business of the Senate at its last adjournment, viz, the resolution submitted by Mr. Eustis the 9th instant to remove the injunction of secrecy from the vote on the motion to postpone the consideration of the British treaty to the first Monday in December next.

Whereupon,

Mr. Eustis withdrew the said motion.

MONDAY, APRIL 2, 1888.

Mr. Payne submitted the following resolution for consideration :

Resolved, That the injunction of secrecy be removed from the text of the pending extradition treaty with Great Britain, with the pending amendments.

THURSDAY, APRIL 5, 1888.

The Senate proceeded to consider the resolution submitted by Mr. Payne the 2d instant to remove the injunction of secrecy from the text of the pending extradition treaty with Great Britain, with the pending amendments; and

The resolution was agreed to.

On motion by Mr. Butler, at 5 o'clock and 3 minutes p. m.,

The doors were opened; and

The Senate adjourned.

MONDAY, MAY 7, 1888.

Mr. Quay presented a communication from the bank officials of Pittsburgh, Pa., favoring the ratification of the extradition treaty with Great Britain; which was ordered to lie on the table.

WEDNESDAY, DECEMBER 5, 1888.

On motion by Mr. Sherman,

The Senate resumed, as in Committee of the Whole, the consideration of the convention (Executive H) between the United States and Great Britain concerning the extradition of persons charged with crime, signed at London June 25, 1886, being an amended extension of Article X of the treaty of 1842.

The question being on agreeing to the amendment proposed by Mr. Edmunds (the 7th February last) to the amendment reported by the Committee on Foreign Relations,

Pending which,

Mr. Sherman, from the Committee on Foreign Relations, by unanimous consent, reported sundry additional amendments to the convention.

Whereupon,

On motion by Mr. Sherman,

Ordered, That the convention, together with the amendments this day and those heretofore reported, be printed in confidence for the use of the Senate.

WEDNESDAY, DECEMBER 19, 1888.

Mr. Chandler submitted the following resolution for consideration:

Resolved, That the injunction of secrecy be removed from the vote of the Senate of the 9th February last to postpone the consideration of the convention with Great Britain concerning persons charged with crime, signed at London, June 25, 1886, to the first Monday in December, 1888.

SATURDAY, JANUARY 12, 1889.

Mr. Quay presented the following resolutions remonstrating against the ratification of the extradition treaty with Great Britain:

Resolution of St. Patrick's Pioneer Society of Audenreid, Pa.

Resolution of St. Patrick's Total Abstinence and Beneficial Society of Audenreid, Pa.

Resolution of the Tom Moore Literary Society of Honey Brook, Pa.

Ordered, That they lie on the table.

TUESDAY, JANUARY 15, 1889.

On motion by Mr. Riddleberger, and by unanimous consent,

Ordered, That on Tuesday, the 29th instant, the Senate in executive session will proceed to the consideration of the convention (Executive H) between the United States and Great Britain concerning the extradition of persons charged with crime, signed June 25, 1886.

WEDNESDAY, JANUARY 30, 1889.

The President pro tempore laid before the Senate a petition of H. D. Lyman, vice president of the American Surety Company, of New York City, praying for the ratification of the extradition treaty with Great Britain, accompanied by a list of forty-seven embezzlers who have taken refuge in the British Dominions.

Ordered, That it lie on the table.

Mr. Wilson of Iowa presented a memorial of citizens of Iowa, remonstrating against the ratification of the extradition treaty with Great Britain.

Ordered, That it lie on the table.

Mr. Davis presented a resolution adopted at a mass meeting held in Minneapolis, Minn., remonstrating against the ratification of the extradition treaty with Great Britain.

Ordered, That it lie on the table.

The Senate resumed, as in Committee of the Whole, the consideration of the convention (Executive H) between the United States and Great Britain concerning the extradition of persons charged with crime, signed at London, June 25, 1886, being an amended extension of the provisions of Article X of the treaty of 1842.

The question being on agreeing to the amendment proposed by Mr. Edmunds (the 7th February last) to the amendment reported by the Committee on Foreign Relations,

Pending which,

By unanimous consent the following reported amendments (heretofore passed over) were considered and agreed to, viz:

Article 1, clause 2, after the word "burglary," insert the word *rape*.

Same article, clause 3, after the words "value of" strike out "50" and insert in lieu thereof 200, and after the words "dollars or £," strike out "10" and insert in lieu thereof 40.

The question recurring on agreeing to the amendment proposed by Mr. Edmunds,

After debate,

The proposed amendment was agreed to.

On the question to agree to the amendment as amended,

After debate,

On motion by Mr. Edmunds that the convention be recommitted to the Committee on Foreign Relations,

Pending debate,

On motion by Mr. Teller, at 6 o'clock and 10 minutes p. m.,

The doors were opened; and

The Senate adjourned.

THURSDAY, JANUARY 31, 1889.

The Senate resumed, as in Committee of the Whole, the consideration of the convention between the United States and Great Britain concerning the extradition of persons charged with crime, signed at London, June 25, 1886, being an amended extension of the provisions of Article X of the treaty of 1842.

The pending question being on the motion of Mr. Edmunds that the said convention be recommitted to the Committee on Foreign Relations,

After debate,

On the question to agree to the motion of Mr. Edmunds,

It was determined in the negative, {	Yeas.....	20
	Nays.....	23

On motion by Mr. Edmunds,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Blair, Chase, Chandler, Davis, Eustis, Evarts, Farwell, George, Gorman, Gray, Hampton, Hawley, Jones of Arkansas, Morgan, Pasco, Pugh, Reagan, Sawyer, Sherman, and Walthall.

Those who voted in the negative are,

Messrs. Blair, Chace, Chandler, Davis, Eustis, Evarts, Farwell, Frye, Hale, Hiscock, Hoar, Ingalls, Mitchell, Paddock, Platt, Riddleberger, Stewart, Stockbridge, Teller, Turpie, Vest, Voorhies, and Wilson of Iowa.

So the motion was not agreed to.

The question recurring on agreeing to the reported amendment to the fourth clause of Article I of the convention as amended on the motion of Mr. Edmunds,

After debate,

It was determined in the negative, {	Yeas.....	9
	Nays.....	34

On motion by Mr. Edmunds,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Edmunds, Frye, Hawley, Hoar, Ingalls, Jones of Arkansas, Morgan, Sawyer, and Sherman.

Those who voted in the negative are,

Messrs. Bate, Blair, Call, Chace, Chandler, Cockrell, Coke, Colquitt, Davis, Eustis, Evarts, Farwell, Faulkner, George, Gorman, Gray, Hale, Hampton, Hiscock, Mitchell, Paddock, Pasco, Platt, Pugh, Reagan, Riddleberger, Stewart, Stockbridge, Teller, Turpie, Vest, Voorhees, Walthall, and Wilson of Iowa.

So the amendment was not agreed to.

On motion by Mr. Gray to amend clause 4 of Article I of the convention by striking out the following words: "Malicious injuries to property whereby the life of any person shall be endangered, if such injuries constitute a crime according to the laws of both the high contracting parties,"

After debate,

It was determined in the affirmative, {	Yeas.....	32
	Nays.....	11

On motion by Mr. Edmunds,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Bate, Call, Cockrell, Coke, Colquitt, Eustis, Faulkner, Frye, George, Gorman, Gray, Hale, Hampton, Hawley, Hiscock, Hoar, Ingalls, Jones of Arkansas, Paddock, Pasco, Platt, Pugh,

Reagan, Sawyer, Sherman, Stewart, Stockbridge, Teller, Turpie, Vest, Voorhees, and Walthall.

Those who voted in the negative are,

Messrs. Blair, Chace, Chandler, Davis, Edmunds, Evarts, Farwell, Mitchell, Morgan, Riddleberger, and Wilson of Iowa.

So the proposed amendment was agreed to.

On motion by Mr. Faulkner to amend the first article of the convention by striking out of the first clause the word "manslaughter,"

After debate,

It was determined in the affirmative, { Yeas----- 24
Nays----- 18

On motion by Mr. Edmunds,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Bate, Call, Cockrell, Coke, Colquitt, Eustis, Faulkner, George, Gorman, Hampton, Hawley, Hoar, Jones of Arkansas, Mitchell, Paddock, Pasco, Pugh, Reagan, Stewart, Stockbridge, Turpie, Vest, Voorhees, and Walthall.

Those who voted in the negative are,

Messrs. Blair, Chandler, Davis, Edmunds, Evarts, Farwell, Frye, Gray, Hale, Hiscock, Ingalls, Morgan, Platt, Riddleberger, Sawyer, Sherman, Teller, and Wilson of Iowa.

So the proposed amendment was agreed to.

No further amendment being made, the convention was reported to the Senate, and the amendments made in the Committee of the Whole were concurred in; and no further amendment being proposed,

The following resolution was submitted for consideration:

Resolved (two-thirds of the Senators present concurring), that the Senate advise and consent to the ratification of the convention between the United States and Great Britain concerning the extradition of persons charged with crime, signed at London June 25, 1886, being an amended extension of the provisions of Article X of the treaty of 1842, with the following amendments:

ARTICLE I. Strike out of the first clause the word "manslaughter."

Same article, clause 2, after the word "burglary," insert the word *rape*.

Same article, clause 3, after the words "value of," strike out "50" and in lieu thereof insert 200, and after the words "dollars or £," strike out "10" and insert in lieu thereof 40.

Same article, clause 4, strike out the following words: "Malicious injuries to property whereby the life of any person shall be endangered, if such injuries constitute a crime according to the laws of both the high contracting parties."

On motion by Mr. Cockrell, at 6 o'clock and 15 minutes p. m., The doors were opened; and

The Senate adjourned.

FRIDAY, FEBRUARY 1, 1889.

Mr. Hawley presented a preamble and resolutions adopted at a regular meeting of the Emmett Club, of New Haven, Conn., remonstrating against the extradition treaty with Great Britain.

Ordered, That they lie on the table.

The Senate proceeded to consider the resolution yesterday submitted advising and consenting to the ratification of the convention (Executive H) between the United States and Great Britain concerning the extradition of persons charged with crime, signed at

London June 25, 1886, being an amended extension of the provisions of Article X of the treaty of 1842; and

On the question to agree thereto,

It was determined in the negative, { Yeas----- 15
Nays----- 38

Those who voted in the affirmative are,

Messrs. Blackburn, Cockrell, Faulkner, Frye, George, Hampton, Hawley, Hoar, Jones of Arkansas, Pasco, Payne, Ransom, Sawyer, Sherman, and Walthall.

Those who voted in the negative are,

Messrs. Allison, Bate, Blair, Bowen, Call, Chace, Chandler, Coke, Cullom, Davis, Dawes, Edmunds, Eustis, Evarts, Farwell, Gorman, Hale, Hiscock, Ingalls, Jones of Nevada, Manderson, Mitchell, Morgan, Paddock, Platt, Plumb, Pugh, Reagan, Riddleberger, Saulsbury, Stewart, Stockbridge, Teller, Turpie, Vest, Voorhees, Wilson of Iowa, and Wilson of Maryland.

So the resolution of ratification was not agreed to, two-thirds of the Senators present not having voted in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Riddleberger submitted the following resolution for consideration:

Resolved, That the injunction of secrecy be removed from all votes on all amendments and motions and upon the resolution of ratification of the extradition convention with Great Britain.

Mr. Morgan moved to amend the resolution by adding at the end thereof the following words:

And from the proceedings and debates thereon and all the proceedings on said treaty in the Committee on Foreign Relations.

On motion by Mr. Harris, at 4 o'clock and 55 minutes p. m.,

The doors were opened; and

The Senate adjourned.

TREATY WITH GREAT BRITAIN, 1888.

TREATY FOR SETTLEMENT OF QUESTIONS GROWING OUT OF RIGHTS CLAIMED BY AMERICAN FISHERMEN IN BRITISH NORTH AMERICAN WATERS, SIGNED AT WASHINGTON, FEBRUARY 15, 1888.

MONDAY, FEBRUARY 20, 1888.

The following messages were received from the President of the United States, by Mr. Pruden, one of his secretaries:

To the Senate of the United States:

In my annual message transmitted to the Congress in December, 1886, it was stated that negotiations were then pending for the settlement of the questions growing out of the rights claimed by American fishermen in British North American waters.

As a result of such negotiations a treaty has been agreed upon between Her Britannic Majesty and the United States, concluded and signed in this capital, under my direction and authority, on the 15th of February instant, and which I now have the honor to submit to the Senate, with the recommendation that it shall receive the consent of that body, as provided in the Constitution, in order that the ratifications thereof may be duly exchanged and the treaty be carried into effect.

Shortly after Congress had adjourned in March last, and in continuation of my efforts to arrive at such an agreement between the Governments of Great Britain and the United States we would secure to the citizens of the respective countries the unmolested enjoyment of their just rights under existing treaties and international comity in the territorial waters of Canada and of Newfoundland, I availed myself of opportune occurrences indicative of a desire to make without delay an amicable and final settlement of a longstanding controversy—productive of much irritation and misunderstanding between the two nations—to send through our minister in London proposals that a conference should take place on the subject at this capital.

The experience of the past two years had demonstrated the dilatory and unsatisfactory consequences of our indirect transaction of business through the foreign office in London, in which the views and wishes of the government of the Dominion of Canada were practically predominant, but were only to find expression at second hand.

To obviate this inconvenience and obstruction to prompt and well-defined settlement, it was considered advisable that the negotiations should be conducted in this city, and that the interests of Canada and Newfoundland should be directly represented therein.

The terms of reference having been duly agreed upon between the two Governments, and the conference arranged to be held here, by virtue of the power in me vested by the Constitution, I duly authorized Thomas F. Bayard, the Secretary of State of the United States, William L. Putnam, a citizen of the State of Maine; and James B. Angell, a citizen of the State of Michigan, for and in the name of the United States, to meet and confer with the plenipotentiaries representing the Government of Her Britannic Majesty, for the purpose of considering and adjusting in a friendly spirit all or any questions relating to rights of fishery in the seas adjacent to British North America and Newfoundland which were in dispute between the Governments of the United States and that of Her Britannic Majesty, and jointly and severally to conclude and sign any treaty or treaties touching the premises; and I herewith transmit for your information full copies of the power so given by me.

In execution of the powers so conveyed, the said Thomas F. Bayard, William L. Putnam, and James B. Angell, in the month of November last, met in this city the plenipotentiaries of Her Britannic Majesty, and proceeded in the negotiation of a treaty as above authorized. After many conferences and protracted efforts an agreement has at length been arrived at, which is embodied in the treaty which I now lay before you.

The treaty meets my approval, because I believe that it supplies a satisfactory, practical, and final adjustment, upon a basis honorable and just to both parties, of the difficult and vexed question to which it relates.

A review of the history of this question will show that all former attempts to arrive at a common interpretation, satisfactory to both parties, of the first article of the treaty of October 20, 1818, have been unsuccessful; and with the lapse of time the difficulty and obscurity have only increased.

The negotiations in 1854 and again in 1871, ended in both cases in temporary reciprocal arrangements of the tariffs of Canada and Newfoundland and of the United States, and the payment of a money award by the United States, under which the real questions in difference remained unsettled, in abeyance, and ready to present themselves anew just so soon as the conventional arrangements were abrogated.

The situation, therefore, remained unimproved by the results of the treaty of 1871, and a grave condition of affairs, presenting almost identically the same features and causes of complaint by the United States against Canadian action and British default in its correction, confronted us in May, 1886, and has continued until the present time.

The greater part of the correspondence which has taken place between the two Governments has heretofore been communicated to Congress, and at as early a day as possible I shall transmit the remaining portion to this date, accompanying it with the joint protocols of the conferences which resulted in the conclusion of the treaty now submitted to you.

You will thus be fully possessed of the record and history of the case since the termination, on June 30, 1885, of the fishery articles of the treaty of Washington of 1871, whereby we were relegated to the provisions of the treaty of October 20, 1818.

As the documents and papers referred to will supply full information of the positions taken under my Administration by the representatives of the United

States, as well as those occupied by the representatives of the Government of Great Britain, it is not considered necessary or expedient to repeat them in this message. But I believe the treaty will be found to contain a just, honorable, and, therefore, satisfactory solution of the difficulties which have clouded our relations with our neighbors on our Northern border.

Especially satisfactory do I believe the proposed arrangement will be found by those of our citizens who are engaged in the open-sea fisheries adjacent to the Canadian coast, and resorting to those ports and harbors under treaty provisions and rules of international law.

The proposed delimitation of the lines of the exclusive fisheries from the common fisheries will give certainty and security as to the area of their legitimate field; and the headland theory of imaginary lines is abandoned by Great Britain, and the specification in the treaty of certain-named bays especially provided for gives satisfaction to the inhabitants of the shores without subtracting materially from the value or conveniences of the fishery rights of Americans.

The uninterrupted navigation of the Strait of Canso is expressly and for the first time affirmed, and the four purposes for which our fishermen under the treaty of 1818 were allowed to enter the bays and harbors of Canada and Newfoundland within the belt of 3 marine miles are placed under a fair and liberal construction, and their enjoyment secured without such conditions and restrictions as in the past have embarrassed and obstructed them so seriously.

The enforcement of penalties for unlawfully fishing or preparing to fish within the inshore and exclusive waters of Canada and Newfoundland is to be accomplished under safeguards against oppressive or arbitrary action, thus protecting the defendant fishermen from punishment in advance of trial, delays, and inconvenience and unnecessary expense.

The history of events in the last two years shows that no feature of Canadian administration was more harrassing and injurious than the compulsion upon our fishing vessels to make formal entry and clearance on every occasion of temporarily seeking shelter in Canadian ports and harbors.

Such inconvenience is provided against in the proposed treaty, and this most frequent and just cause of complaint is removed.

The articles permitting our fishermen to obtain provisions and the ordinary supplies of trading vessels on their homeward voyages, and under which they are accorded the further and even more important privilege on all occasions of purchasing such casual or needful provisions and supplies as are ordinarily granted to trading vessels, are of great importance and value.

The licenses which are to be granted without charge and on application, in order to enable our fishermen to enjoy these privileges, are reasonable and proper checks in the hands of the local authorities to identify the recipients and prevent abuse, and can form no impediment to those who intend to use them fairly.

The hospitality secured for our vessels in all cases of actual distress, with liberty to unload and sell and transship their cargoes, is full and liberal.

These provisions will secure the substantial enjoyment of the treaty rights for our fishermen under the treaty of 1818, for which contention has been steadily made in the correspondence of the Department of State, and our minister at London, and by the American negotiators of the present treaty.

The right of our fishermen under the treaty of 1818 did not extend to the procurement of distinctive fishery supplies in Canadian ports and harbors; and one item supposed to be essential, to wit, bait, was plainly denied them by the explicit and definite words of the treaty of 1818, emphasized by the course of the negotiation and express decisions which preceded the conclusion of that treaty.

The treaty now submitted contains no provision affecting tariff duties, and, independently of the position assumed upon the part of the United States that no alternation in our tariff or other domestic legislation could be made as the price or consideration of obtaining the rights of our citizens secured by treaty, it was considered more expedient to allow any change in the revenue laws of the United States to be made by the ordinary exercise of legislative will and in promotion of the public interests. Therefore the addition to the free list of fish, fish oil, whale and seal oil, etc., recited in the last article of the treaty, is wholly left to the action of Congress; and in connection therewith the Canadian and Newfoundland right to regulate sales of bait and other fishing supplies within their own jurisdiction is recognized, and the right of our fishermen to freely purchase these things is made contingent, by this treaty, upon the action of Congress in the modification of our tariff laws.

Our social and commercial intercourse with those populations who have been placed upon our borders and made forever our neighbors is made apparently by a list of United States common carriers, marine and inland, connecting their lines with Canada, which was returned by the Secretary of the Treasury to the Senate on the 7th day of February, 1818, in answer to a resolution of that body; and this is instructive as to the great volume of mutually profitable interchanges which has come into existence during the last half century.

This intercourse is still but partially developed, and if the amicable enterprise and wholesome rivalry between the two populations be not obstructed, the promise of the future is full of the fruits of an unbounded prosperity on both sides of the border.

The treaty now submitted to you has been framed in a spirit of liberal equity and reciprocal benefits, in the conviction that mutual advantage and convenience are the only permanent foundation of peace and friendship between States, and that with the adoption of the agreement now placed before the Senate a beneficial and satisfactory intercourse between the two countries will be established so as to secure perpetual peace and harmony.

In connection with the treaty herewith submitted I deem it also my duty to transmit to the Senate a written offer or arrangement in the nature of a *modus vivendi*, tendered after the conclusion of the treaty on the part of the British plenipotentiaries, to secure kindly and peaceful relations during the period that may be required for the consideration of the treaty by the respective Governments and for the enactment of the necessary legislation to carry its provisions into effect if approved.

This paper, freely and on their own motion signed by the British conferees, not only extends advantages to our fishermen pending the ratification of the treaty, but appears to have been dictated by a friendly and amicable spirit.

I am given to understand that the other Governments concerned in this treaty will within a few days, in accordance with their methods of conducting public business, submit said treaty to their respective legislatures, when it will be at once published to the world. In view of such action it appears to be advisable that, by publication here, early and full knowledge of all that has been done in the premises should be afforded to our people.

It would also seem to be useful to inform the popular mind concerning the history of the long-continued disputes growing out of the subject embraced in the treaty and to satisfy the public interests touching the same, as well as to acquaint our people with the present status of the questions involved, and to give them the exact terms of the proposed adjustment in place of the exaggerated and imaginative statements which will otherwise reach them.

I therefore beg leave respectfully to suggest that said treaty and all such correspondence, messages, and documents relating to the same as may be deemed important to accomplish these purposes be at once made public by the order of your honorable body.

GROVER CLEVELAND.

EXECUTIVE MANSION, February 20, 1888.

The treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed at Washington February 15, 1888, was read the first time.

On motion by Mr. Sherman,

Ordered, That the said treaty be referred to the committee on Foreign Relations, and, together with the message and accompanying documents, printed in confidence for the use of the Senate.

TUESDAY, FEBRUARY 21, 1888.

On motion by Mr. Edmunds, and by unanimous consent,

Ordered, That the injunction of secrecy be removed from the treaty (Executive M) between the United States and Great Britain, concerning the interpretation of the convention of October 20, 1818, signed at Washington February 15, 1888, the message of the President transmitting the same, and the accompanying protocols.

On motion by Mr. Frye, and by unanimous consent,

Ordered, That the said treaty, together with the message and the accompanying protocols, be printed in the Record.

On motion by Mr. Eustis,

The Senate proceeded to consider the resolution submitted by him the 9th instant to remove the injunction of secrecy from the vote on the motion to postpone the consideration of the British treaty to the first Monday in December next.

Pending debate,

On motion by Mr. Edmunds, at 5 o'clock and 30 minutes p. m.,

The doors were opened; and

The Senate adjourned.

MONDAY, MARCH 5, 1888.

Mr. Sherman submitted the following resolution for consideration:

Resolved, That the message of the President, of the date of March 5, 1888, transmitting certain documents and correspondence in relation to the recent negotiations with Great Britain concerning American fishery interests in British North American waters be printed, and that, under the direction of the Committee on Printing, all communications hitherto made by the President to the Senate upon the same subject matter of date subsequent to the 4th day of March, 1885, be reprinted in connection with the documents transmitted by said message.

On motion by Mr. Sherman,

The Senate proceeded, by unanimous consent, to consider the said resolution; and

After debate,

The resolution having been modified by Mr. Sherman, was agreed to as follows:

Resolved, That the message of the President of the date of March 5, 1888, transmitting certain documents and correspondence in relation to the recent negotiations with Great Britain concerning American fishing interests in British North American waters be printed, and that, under the direction of the Committee on Printing, all communications hitherto made by the President or the Secretary of State to either House upon the fisheries question, and in relation to the seizure of fishing vessels of the United States in the ports or waters of Great Britain or her dependencies, of date subsequent to the 4th day of March, 1877, be reprinted in connection with the documents transmitted by said message, including all the evidence taken before the Committee on Foreign Relations of the Senate and the report thereon, and that the injunction of secrecy be removed from the documents proposed to be printed in this resolution.

TUESDAY, APRIL 10, 1888.

Mr. Hoar presented a resolution adopted by the common council of the city of Gloucester, Mass., protesting against the ratification of the so-called fisheries treaty now pending before the United States Senate; which was referred to the Committee on Foreign Relations.

MONDAY, MAY 7, 1888.

Mr. Edmunds, from the Committee on Foreign Relations, to whom was referred, the 20th February, the treaty (Executive M) between the United States and Great Britain concerning the interpretation

of the convention of October 20, 1818, signed at Washington February 15, 1888, reported the same without amendment, accompanied by a resolution for its ratification in the usual form and a written adverse report thereon.

Mr. Morgan, from the same committee, submitted the views of the minority on the same subject in writing; which, together with the report submitted by Mr. Edmunds, was ordered to be printed in confidence for the use of the Senate.

THURSDAY, MAY 10, 1888.

On motion by Mr. Teller, and by unanimous consent,

Ordered, That the injunction of secrecy be removed from the report of the Committee on Foreign Relations and the views of the minority upon the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818.

On motion by Mr. Paddock, at 3 o'clock and 52 minutes p. m.,
The doors were opened; and
The Senate resumed the consideration of legislative business.

MONDAY, MAY 14, 1888.

Mr. Quay presented eight memorials of the citizens of Scranton, Pa., remonstrating against the ratification of the proposed fisheries treaty with Great Britain; which were ordered to lie on the table.

TUESDAY, MAY 22, 1888.

The treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed at Washington, February 15, 1888, was read the second time and considered as in Committee of the Whole.

On motion by Mr. Hoar that the further consideration thereof be had in open executive session.

It was determined in the negative,	{ Yeas-----	28
	{ Nays-----	28

On motion by Mr. Morgan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,
Messrs. Aldrich, Allison, Blair, Chandler, Davis, Dawes, Dolph, Edmunds, Evarts, Farwell, Frye, Hawley, Hiscock, Hoar, Mander-son, Mitchell, Morrill, Paddock, Palmer, Platt, Plumb, Riddleberger, Sabin, Sherman, Spooner, Stewart, Stockbridge, and Teller.

Those who voted in the negative are,
Messrs. Bate, Beck, Berry, Blackburn, Blodgett, Call, Cockrell Coke, Daniel, George, Gray, Hale, Hampton, Harris, Jones of Arkansas, Kenna, McPherson, Morgan, Pasco, Pugh, Ransom, Reagan, Saulsbury, Turpie, Vance, Vest, Voorhees, and Walthall.

So the motion was not agreed to.

On motion by Mr. Sherman, at 2 o'clock and 6 minutes p. m.,
The doors were opened; and

The Senate resumed the consideration of legislative business.

WEDNESDAY, MAY 23, 1888.

The Senate resumed, as in Committee of the Whole, the consideration of the treaty between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed at Washington, February 15, 1888.

On motion by Mr. Hoar that the further consideration thereof be had in open executive session,

Pending debate,

On motion by Mr. Spooner, at 1 o'clock and 18 minutes p. m.,

The doors were opened; and

The Senate resumed the consideration of legislative business.

THURSDAY, MAY 24, 1888.

The Senate resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed at Washington, February 15, 1888; and

The question being on the motion of Mr. Hoar that further consideration thereof be had in open executive session,

On motion by Mr. Jones of Arkansas that the further consideration of the said motion be postponed until Monday next,

On motion by Mr. Sherman, at 4 o'clock and 20 minutes p. m.,

The doors were opened; and

The Senate adjourned.

FRIDAY, MAY 25, 1888.

The Senate resumed, as in Committee of the Whole, the consideration of the treaty between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed at Washington, February 15, 1888; and

The question being on the motion of Mr. Jones of Arkansas to postpone until Monday next the consideration of the motion of Mr. Hoar that the further consideration of the treaty be had in open executive session.

After debate,

On motion by Mr. Saulsbury, at 5 o'clock and 42 minutes p. m.,

The doors were opened; and, in pursuance of a motion adopted in legislative session,

The Senate adjourned until Monday next.

MONDAY, MAY 28, 1888.

The Senate resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed at Washington, February 15, 1888; and

The pending question being on the motion of Mr. Hoar that the further consideration thereof be had in open executive session,

On motion by Mr. Sherman,

The yeas and nays were ordered by one-fifth of the Senators present.

After debate,

Mr. Morgan submitted a motion that the further consideration of the pending question be postponed until the Wednesday after the first Monday in December next.

The President pro tempore decided that the motion of Mr. Hoar being an incidental question, arising out of and occurring in consequence of the pendency of the main question, the motion of Mr. Morgan to postpone its consideration to a day certain was out of order and could not be received.

From this decision of the President pro tempore Mr. Morgan appealed to the Senate,

Pending which,

On motion by Mr. Hoar that the appeal be laid on the table,

It was determined in the affirmative,	Yeas-----	21
	Nays-----	19

On motion by Mr. Morgan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allison, Blair, Chance, Chandler, Cullom, Davis, Dawes, Dolph, Edmunds, Evarts, Hiscock, Hoar, Manderson, Mitchell, Paddock, Platt, Quay, Sherman, Stewart, Stockbridge, and Wilson of Iowa.

Those who voted in the affirmative are,

Messrs. Bate, Berry, Call, Coke, Faulkner, George, Gray, Hampton, Jones of Arkansas, McPherson, Morgan, Pugh, Ransom, Reagan, Saulsbury, Turpie, Voorhies, Walthall, and Wilson of Maryland.

So the appeal was laid on the table.

Mr. Morgan moved to amend the motion of Mr. Hoar by adding, after the words "executive session," the words: *On the Wednesday after the first Monday in December next.*

The President pro tempore decided that for the reasons stated on the motion to postpone, the motion was not in order and could not be received.

Mr. Morgan moved that the motion of Mr. Hoar be laid on the table.

The President pro tempore decided that for the reasons stated on the motion to postpone, the motion was not in order and could not be received.

The question recurring on the motion of Mr. Hoar that the further consideration of the treaty be had in open executive session,

It was determined in the affirmative,	{Yeas-----	21
	{Nays-----	19

The yeas and nays having heretofore been ordered,

Those who voted in the affirmative are,

Messrs. Allison, Blair, Chace, Chandler, Cullom, Davis, Dawes, Dolph, Edmunds, Evarts, Hiscock, Hoar, Manderson, Mitchell, Paddock, Platt, Quay, Sherman, Stewart, Stockbridge, and Wilson of Iowa.

Those who voted in the negative are,

Messrs. Bate, Berry, Call, Coke, Faulkner, George, Gray, Hampton, Jones of Arkansas, McPherson, Morgan, Pugh, Ransom, Reagan, Saulsbury, Turpie, Voorhees, Walthall, and Wilson of Maryland.

So the motion was agreed to.

Whereupon,

The President pro tempore directed the doors to be opened, and at 4 o'clock and 55 minutes p. m.,

The order having been executed, the Senate, in pursuance of the motion this day adopted in executive session, proceeded in

OPEN EXECUTIVE SESSION.

To consider the pending treaty (Executive M) with Great Britain.

Mr. Morgan submitted the following resolution; which was considered by unanimous consent and agreed to:

Resolved, That the injunction of secrecy be removed from all proceedings of the Senate in reference to the treaty with Great Britain now under consideration.

On motion by Mr. Cullom, at 5 o'clock p. m.,

The Senate adjourned.

TUESDAY, MAY 29, 1888.

The Senate in open executive session resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain, concerning the interpretation of the convention of October 20, 1818, signed at Washington February 15, 1888.

Mr. Morgan submitted a motion that the further consideration of the pending treaty be postponed until the Wednesday after the first Monday in December next.

Pending debate,

On motion by Mr. Stewart,

The Senate (at 2 o'clock and 40 minutes p. m.) took a recess for half an hour.

At 3 o'clock and 10 minutes p. m.,

The Senate resumed, as in Committee of the Whole, the consideration of the pending treaty (Executive M) between the United States and Great Britain.

After further debate,

On motion by Mr. Hoar, and by unanimous consent,

Ordered, That the journals of all the proceedings of the Senate in reference to the treaty with Great Britain now under consideration be printed in the Congressional Record.

On motion by Mr. Teller, and by unanimous consent,

Ordered, That the debates, and proceedings in open executive session be printed in the Congressional Record from day to day.

On motion by Mr. Gray, and by unanimous consent,

Ordered, That the further consideration of the pending treaty be postponed until Monday, the 11th day of June.

MONDAY, JUNE 11, 1888.

The Senate in open executive session resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain, signed February 15, 1888.

After debate,

On motion by Mr. Sherman,

Ordered, That the further consideration thereof be postponed until Monday, June 25.

TUESDAY, JULY 10, 1888.

The Senate in open executive session resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Morgan that the further consideration of the treaty be postponed until the Wednesday after the first Monday in December next.

After remarks thereon, submitted by Mr. Hoar,

On motion by Mr. Plumb, at 5 o'clock and 2 minutes p. m.,

The Senate resumed the consideration of legislative business.

THURSDAY, JULY 12, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888; and

After remarks thereon, submitted by Mr. George,

On motion by Mr. Gray, at 4 o'clock and 20 minutes p. m.,

The Senate resumed the consideration of legislative business.

FRIDAY, JULY 13, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888; and

After remarks thereon, submitted by Messrs. George and Dolph,

At 5 o'clock and 12 minutes p. m.,

The Senate resumed the consideration of legislative business.

MONDAY, JULY 16, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888; and

After remarks thereon, submitted by Messrs. Pugh and Chandler,

The Senate resumed the consideration of legislative business.

SATURDAY, JULY 21, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888, and,

After remarks thereon, submitted by Mr. Teller,

At 4 o'clock and 53 minutes p. m.,

The Senate resumed the consideration of legislative business.

MONDAY, JULY 23, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between

the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Morgan that the further consideration of the treaty be postponed until the Wednesday after the first Monday in December next.

After remarks thereon, submitted by Messrs. Dawes and Stewart,

On motion by Mr. Morgan, at 4 o'clock and 55 minutes p. m.,

The Senate resumed the consideration of legislative business.

THURSDAY, JULY 26, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Morgan that the further consideration of the treaty be postponed to the Wednesday after the first Monday in December next.

After debate,

On motion by Mr. Morgan, at 6 o'clock and 5 minutes p. m.,

The Senate resumed the consideration of legislative business.

FRIDAY, JULY 27, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Morgan that the further consideration of the treaty be postponed until the Wednesday after the first Monday in December next.

After remarks thereon, submitted by Mr. Saulsbury,

On motion by Mr. Allison, at 4 o'clock and 3 minutes p. m.,

The Senate resumed the consideration of legislative business.

THURSDAY, AUGUST 2, 1888.

The Senate, in open executive session, resumed, as in Committee of the whole, the consideration of the treaty (Executive M) between the the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Morgan that the further consideration of the treaty be postponed until the Wednesday after the first Monday in December next.

After debate,

On motion by Mr. Sherman, at 4 o'clock and 35 minutes p. m.,

The Senate resumed the consideration of legislative business.

FRIDAY, AUGUST 3, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Morgan that the further consideration of the treaty be postponed to the Wednesday after first Monday in December next,

After debate,

On motion by Mr. Hoar that the Senate adjourn until to-morrow at 11 o'clock p. m.,

On motion by Mr. Cockrell that the Senate adjourn,

It was determined in the negative, { Yeas----- 16
Nays----- 18

On motion by Mr. Stewart,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Bate, Berry, Call, Cockrell, Coke, Faulkner, George, Gibson, Hampton, Morgan, Payne, Ransom, Reagan, Saulsbury, Vance, and Wilson of Maryland.

Those who voted in the negative are,

Messrs. Allison, Blair, Bowen, Chace, Chandler, Cullom, Dawes, Edmunds, Hawley, Hiscock, Hoar, Palmer, Riddleberger, Sawyer, Sherman, Stewart, Stockbridge, and Wilson of Iowa.

So the motion was not agreed to.

The announcement of the result of the vote having disclosed the want of a quorum,

The President pro tempore directed the roll to be called;

When,

Forty-four Senators answered to their names.

The quorum being present; and

The question recurring on the motion of Mr. Hoar,

The yeas were 17 and the nays were 7.

On motion by Mr. Cockrell,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allison, Blair, Bowen, Chace, Chandler, Cullom, Dawes, Edmunds, Hawley, Hiscock, Hoar, Riddleberger, Sawyer, Sherman, Stewart, Stockbridge, and Wilson of Iowa.

Those who voted in the negative are,

Messrs. Bate, Call, Gibson, Hampton, Payne, Ransom, and Saulsbury.

The number of Senators voting not constituting a quorum,

On motion by Mr. Cockrell that the Senate adjourn,

It was determined in the negative, { Yeas----- 16
Nays----- 18

On motion by Mr. Edmunds,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Bate, Berry, Call, Cockrell, Coke, Colquitt, George, Gibson, Hampton, Morgan, Payne, Ransom, Reagan, Saulsbury, Vance, and Wilson of Maryland.

Those who voted in the negative are,

Messrs. Allison, Blair, Bowen, Chace, Chandler, Cullom, Dawes, Edmunds, Hawley, Hiscock, Hoar, Palmer, Riddleberger, Sawyer, Sherman, Stewart, Stockbridge, and Wilson of Iowa.

So the motion was not agreed to.

The announcement of the result of the vote having disclosed the want of a quorum,

The President pro tempore directed the roll to be called ;

When,

Forty-two Senators answered to their names.

A quorum being present,

The Senate resumed the consideration of legislative business.

MONDAY, AUGUST 6, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Morgan that the further consideration thereof be postponed until the Wednesday after the first Monday in December next.

After remarks thereon, submitted by Mr. Vance,

On motion by Mr. Morgan, at 1 o'clock and 5 minutes p. m.,

The Senate resumed the consideration of legislative business.

TUESDAY, AUGUST 7, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Morgan that the further consideration of the treaty be postponed until the Wednesday after the first Monday in December next,

After debate,

On motion by Mr. Sherman, at 2 o'clock and 55 minutes p. m.,

The Senate resumed the consideration of legislative business.

WEDNESDAY, AUGUST 8, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Morgan that the further consideration of the treaty be postponed until the Wednesday after the first Monday in December next.

After remarks thereon, submitted by Mr. Evarts,

On motion by Mr. Morgan, at 3 o'clock p. m.,

The Senate proceeded to the consideration of executive business.

THURSDAY, AUGUST 9, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Morgan that the further consideration of the treaty be postponed until the Wednesday after the first Monday in December next.

After debate,

On motion by Mr. Hoar, at 5 o'clock and 47 minutes p. m.

The Senate adjourned.

FRIDAY, AUGUST 10, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Morgan that the further consideration of the treaty be postponed until the Wednesday after the first Monday in December next.

After debate,

On motion by Mr. Frye, at 1 o'clock and 45 minutes p. m.,

The Senate resumed the consideration of legislative business.

MONDAY, AUGUST 13, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Morgan that the further consideration of the treaty be postponed until the Wednesday after the first Monday in December next.

After debate.

On motion by Mr. Beck, at 6 o'clock and 12 minutes p. m.,

The Senate adjourned.

TUESDAY, AUGUST 14, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Morgan that the further consideration of the treaty be postponed until the Wednesday after the first Monday in December next,

On motion by Mr. Edmunds,

The yeas and nays were ordered by one-fifth of the Senators present.

After debate,

On motion by Mr. Sawyer, at 4 o'clock and 35 minutes p. m.,

The Senate resumed the consideration of legislative business.

WEDNESDAY, AUGUST 15, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Morgan that the further consideration of the treaty be postponed until the Wednesday after the first Monday in December next,

Pending debate,

On motion by Mr. Frye, and by unanimous consent,

Ordered, That the vote upon the pending treaty be taken at 12 o'clock to-morrow.

After further debate,

On motion by Mr. Berry, at 6 o'clock and 12 minutes p. m.,

The Senate adjourned.

THURSDAY, AUGUST 16, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Morgan that the further consideration of the treaty be postponed until the Wednesday after the first Monday in December next.

The yeas and nays having heretofore been ordered,

The President pro tempore, in pursuance to a motion agreed to yesterday that a vote upon the pending question should be taken at 12 o'clock to-day, directed the roll to be called:

When,

The question was determined in the negative,	{ Yeas-----	24
	{ Nays-----	27

Those who voted in the affirmative are,

Messrs. Bate, Berry, Brown, Call, Cockrell, Coke, Colquitt, Daniel, George, Gibson, Gorman, Gray, Hompton, Harris, Payne, Pugh, Reagan, Saulsbury, Turpie, Vance, Vest, Voorhees, Walthall, and Wilson of Maryland.

Those who voted in the negative are,

Messrs. Aldrich, Allison, Blair, Bowen, Chace, Chandler, Davis, Dawes, Dolph, Edmunds, Frye, Hawley, Hoar, Ingalls, Jones of Nevada, Manderson, Mitchell, Platt, Plumb, Sabin, Sawyer, Sherman, Spooner, Stewart, Stockbridge, Teller, and Wilson of Iowa.

So the motion was not agreed to.

The Senate, at 4 o'clock and 30 minutes p. m., resumed the consideration of executive business in open executive session, and the pending treaty (Executive M) between the United States and Great Britain was proceeded with, as in Committee of the Whole, by sections.

After debate,

Mr. Gibson submitted the following motion for consideration; which was ordered to be printed for the use of the Senate:

That the pending treaty be committed to the Committee on Foreign Relations, with instructions either to frame and report such amendments thereto as shall appear meet to remove any ambiguities and to remedy any defects of said treaty, if any there be, or to frame and report a plan for arbitration by which all differences between the Government of the United States and the Government of Great Britain, in respect of the rights and liberties of the people of the United States and of the subjects of Her Britannic Majesty, respectively, in the North American fisheries, under the treaty of eighteen hundred and eighteen, shall be determined and settled, and by which it may be further

determined and settled whether citizens of the United States engaged in the business of fishing on the eastern coasts of British North America are, or are not, justly entitled to all the advantages and benefits of the mutual arrangements of eighteen hundred and thirty, and the mutual rights of transit under the treaty of eighteen hundred and seventy-one, and by which it may be further determined and settled what, if any, damages, indemnity, or compensation may be due for the alleged unlawful treatment, detention, and seizures of the fishing vessels of citizens of the United States, and violation of rights and privileges of said citizens of the United States under the treaties, arrangements, and conventions above recited.

On motion by Mr. Cockrell, at 5 o'clock and 51 minutes p. m.,
The Senate adjourned.

FRIDAY, AUGUST 17, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Gibson that the pending treaty (Executive M) be recommitted to the Committee on Foreign Relations with certain instructions,

On motion by Mr. Fyre, and by unanimous consent,

Ordered, That at 1 o'clock each day the debate on the treaty shall proceed and shall close on Monday at 6 o'clock, the friends of the treaty having the last two hours. On Tuesday, at 12 o'clock, the final votes shall be taken on all amendments, motions, and the resolution of ratification.

The question recurring on the motion of Mr. Gibson,

After debate,

The Senate resumed the consideration of legislative business.

MONDAY, AUGUST 20, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Gibson that the pending treaty (Executive M) be recommitted to the Committee on Foreign Relations with certain instructions,

After debate,

On motion by Mr. Hoar, at 6 o'clock and 2 minutes p. m.,

The Senate adjourned.

TUESDAY, AUGUST 21, 1888.

The Senate, in open executive session, resumed, as in Committee of the Whole, the consideration of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 22, 1818, signed February 15, 1888.

The pending question being on the motion of Mr. Gibson that the pending treaty (Executive M) be recommitted to the Committee on Foreign Relations with certain instructions,

After debate,

On the question to agree to the motion,

It was determined in the negative,	{ Yeas-----	29
	{ Nays-----	31

On motion by Mr. Gorman,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Bate, Beck, Berry, Blackburn, Blodgett, Cockrell, Coke, Colquitt, Daniel, Faulkner, George, Gorman, Gray, Hampton, Harris, Jones of Arkansas, McPherson, Morgan, Pasco, Payne, Pugh, Ransom, Reagan, Turpie, Vest, Voorhees, Wilson of Maryland.

Those who voted in the negative are,

Messrs. Aldrich, Allison, Blair, Chace, Chandler, Davis, Dawes, Dolph, Edmunds, Evarts, Farwell, Frye, Hale, Hawley, Hiscock, Hoar, Ingalls, Jones of Nevada, Manderson, Mitchell, Platt, Plumb, Quay, Sabin, Sawyer, Sherman, Spooner, Stewart, Stockbridge, Teller, and Wilson of Iowa.

So the motion was not agreed to.

The reading of the treaty by sections having been resumed,

On motion by Mr. Gray to amend Article XI by striking out all after the word "charge," in line 159 of the treaty, down to and including the word "aforesaid," in line 160, and inserting in lieu thereof the following: *and all United States fishing vessels shall also be accorded upon all occasions such facilities for the purchase of casual or needful provisions and supplies as are ordinarily granted to the trading vessels of the United States, upon obtaining licenses for this purpose, which shall be granted to all United States fishing vessels upon application, promptly, and without charge.*

It was determined in the negative,	{ Yeas-----	28
	{ Nays-----	30

On motion by Mr. Gray,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Bate, Beck, Berry, Blackburn, Blodgett, Brown, Cockrell, Coke, Colquitt, Daniel, Faulkner, George, Gorman, Gray, Hampton, Harris, Jones of Arkansas, McPherson, Morgan, Pasco, Payne, Pugh, Ransom, Reagan, Vest, Voorhees, Walthall, and Wilson of Maryland.

Those who voted in the negative are,

Messrs. Aldrich, Allison, Blair, Chace, Chandler, Dawes, Dolph, Edmunds, Evarts, Farwell, Frye, Hale, Hawley, Hiscock, Hoar, Ingalls, Jones of Nevada, Manderson, Mitchell, Platt, Plumb, Gray, Sabin, Sawyer, Sherman, Spooner, Stewart, Stockbridge, Teller, and Wilson of Iowa.

So the proposed amendment was not agreed to.

The reading of the treaty by sections having been concluded and no further amendment being proposed,

The treaty was reported to the Senate; and no amendment being proposed,

Mr. Sherman submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty (Executive M) between the United States and Great Britain concerning the interpretation of the convention of October 20, 1818, signed February 15, 1888.

The Senate proceeded by unanimous consent to consider the said resolution; and

On the question to agree thereto,

It was determined in the negative,	{ Yeas-----	27
	{ Nays-----	30

On motion by Mr. Morgan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are:

Messrs. Bate, Beck, Berry, Blackburn, Blodgett, Brown, Cockrell, Coke, Colquitt, Daniel, Faulkner, George, Gorman, Gray, Hampton, Harris, Jones of Arkansas, McPherson, Morgan, Pasco, Payne, Pugh, Ransom, Reagan, Vest, Walthall, and Wilson of Maryland.

Those who voted in the negative are:

Messrs. Aldrich, Allison, Blair, Chace, Chandler, Dawes, Dolph, Edmunds, Evarts, Farwell, Frye, Hale, Hawley, Hiscock, Hoar, Ingalls, Jones of Nevada, Manderson, Mitchell, Platt, Plumb, Quay, Sabin, Sawyer, Sherman, Spooner, Stewart, Stockbridge, Teller, and Wilson of Iowa.

So the resolution was not agreed to, two-thirds of the Senators present not having voted in the affirmative.

Ordered, That the Secretary notify the President of the United States thereof.

The report of the committee and the accompanying documents were printed in Senate Miscellaneous Document No. 109, Fiftieth Congress, first session; and the proceedings in the Senate in regard to the ratification of the treaty were printed in the Congressional Record for the Fiftieth Congress, first session, pages 4695, 4708, 4766, 5090, 5136, 5150, 5190, 6042, 6247, 6248, 6346, 6610, 6675, 6846, 6894, 7154, 7213, 7285, 7387, 7470, 7516, 7552, 7573, 7623, 7663, 7712, 7760, 7903, 7914, 8073, 8090.

AFRICAN SLAVE TRADE CONVENTION BETWEEN THE UNITED STATES AND OTHER POWERS RELATIVE TO SUPPRESSION, 1891.

NOTE.—African slave trade convention between the United States and other powers relative to suppression was rejected by the Senate March 3, 1891, volume 27, Executive Journal, United States Senate, 1889–1891.

Amended and ratified January 11, 1892, volume 28, Executive Journal, United States Senate, 1891–1893.

THURSDAY, JANUARY 29, 1891.

The general act (Executive B) signed at Brussels, July 2, 1890, by the plenipotentiaries of the United States and other powers for the repression of the African slave trade, etc., was read the first time, referred to the Committee on Foreign Relations, and, together with the message and accompanying report, ordered to be printed in confidence for the use of the Senate.

On motion by Mr. Allison, at 5 o'clock and 40 minutes p. m.,

The doors were opened; and

The Senate adjourned.

WEDNESDAY, FEBRUARY 4, 1891.

Mr. Sherman, from the Committee on Foreign Relations, to whom was referred, the 29th January, the general act, signed at Brussels,

July 2, 1890, by the plenipotentiaries of the United States and other powers for the repression of the African slave trade, etc., reported the same without amendment.

Mr. Sherman submitted the following resolution, which was considered by unanimous consent and agreed to:

Resolved, That the injunction of secrecy be removed from "The general act (Executive B) signed at Brussels July 2, 1890, by the plenipotentiaries of the United States and other powers for the repression of the African slave trade," etc., and from the message transmitting the same, and also from the accompanying papers; and that 5,000 copies thereof be printed for the use of the Senate.

On motion by Mr. Sherman,

The general act signed at Brussels July 2, 1890, was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate; and no amendment being proposed,

Mr. Sherman submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the general act signed at Brussels July 2, 1890, by the plenipotentiaries of the United States and other powers for the repression of the African slave trade, etc.

On motion by Mr. Blair, at 5 o'clock and 10 minutes p. m.,

The doors were opened; and

The Senate adjourned.

SATURDAY, FEBRUARY 14, 1891.

The following message was received from the President of the United States, by Mr. Pruden, one of his secretaries:

To the Senate:

I transmit herewith for your information, in connection with the general act of Brussels, signed July 2, 1890, now under your consideration, a final protocol, signed at Brussels December 22, 1890, by the commission charged with framing of the tariff of import duties in the conventional basin of the Congo guaranteeing to the commerce and citizens of the United States in the basin the treatment accorded to the commerce and subjects of the powers which signed the general act of Berlin of 1884-85. I also inclose a report from the Secretary of State setting forth the intent of the protocol submitted, and copies of two dispatches from our minister at Brussels on the same subject.

BENJ. HARRISON.

EXECUTIVE MANSION,

Washington, February 13, 1891.

The message was read.

The protocol (Executive B, part 2) to the general act for the repression of the African slave trade, signed at Brussels December 22, 1890, was read the first time, referred to the Committee on Foreign Relations, and, together with the message and accompanying papers, ordered to be printed in confidence for the use of the Senate.

FRIDAY, FEBRUARY 27, 1891.

Mr. Sherman, from the committee, to whom was referred, the 14th instant, the final protocol (Executive B, part 2) to the general act for the repression of the African slave trade, signed at Brussels December 22, 1890, reported the same for the consideration of the Senate.

* * * * *

On motion by Mr. Sherman, and by unanimous consent,

Ordered, That the injunction of secrecy be removed from the final protocol (Executive B, part 2) to the general act for the repression of the African slave trade, signed at Brussels December 22, 1890.

TUESDAY, MARCH 3, 1891.

On motion by Mr. Sherman,

The Senate proceeded to consider the following resolution submitted by him the 4th February:

Resolved (two-thirds of the Senate present concurring therein), That the Senate advise and consent to the ratification of the general act signed at Brussels July 2, 1890, by the plenipotentiaries of the United States and other powers for the repression of the African slave trade, etc.

* * * * *

The Senate resumed the consideration of the resolution advising and consenting to the ratification of the general act (Executive B) for the repression of the African slave trade; and

After debate,

On the question to agree to the resolution,

The yeas were 26 and the nays were 33.

Those who voted in the affirmative are,

Messrs. Butler, Carey, Casey, Cullom, Dixon, Dolph, Frye, Hale, Hiscock, Hoar, McConnell, McMillan, Manderson, Mitchell, Morrill, Paddock, Pierce, Sanders, Sawyer, Sherman, Shoupe, Spooner, Stockbridge, Warren, Washburn, and Wilson.

Those who voted in the negative are,

Messrs. Berry, Blackburn, Blair, Blodgett, Call, Carlisle, Chandler, Coke, Daniel, Edmunds, Farwell, Faulkner, Gorman, Gray, Hampton, Harris, Hawley, Ingalls, Jones of Arkansas, Jones of Nevada, Kenna, Pasco, Pettigrew, Plumb, Pugh, Ransom, Reagan, Stewart, Teller, Turpie, Vance, Vest, and Walthall.

So it was

Resolved, That the Senate do not advise and consent to the ratification of the general act signed at Brussels July 2, 1890, by the plenipotentiaries of the United States and other powers for the repression of the African slave trade, two-thirds of the Senators present not having voted in the affirmative.

Mr. Edmunds submitted a motion that the Senate reconsider the vote last taken.

[Vol. 28.]

THURSDAY, DECEMBER 10, 1891.

On motion by Mr. Sherman,

Ordered, That the following treaties and conventions, now pending before the Senate, be again referred to the Committee on Foreign Relations:

A general act (Executive B, Fiftieth Congress, second session), signed at Brussels July 2, 1890, by the plenipotentiaries of the United States and other powers for the repression of the African slave trade;

* * * * *

On motion by Mr. Sherman, at 2 o'clock and 25 minutes p. m.,
The doors were opened; and
The Senate adjourned.

WEDNESDAY, DECEMBER 16, 1891.

On motion by Mr. Sherman,

The Senate proceeded to consider the motion submitted by Mr. Edmunds on the 3d day of March last, "that the vote of the Senate on rejecting the general act (Exhibit B, Fifty-first Congress, second session) signed at Brussels July 2, 1890, by the plenipotentiaries of the United States and other powers, for the repression of the African slave trade, etc., be reconsidered," and unanimously agreed thereto.

MONDAY, JANUARY 11, 1892.

Mr. Sherman, from the Committee on Foreign Relations, to whom was referred, the 10th December last, the general act (Executive B, Fifty-first Congress, second session) signed at Brussels July 2, 1890, by the plenipotentiaries of the United States and other powers, for the suppression of the African slave trade, reported it without amendment, accompanied by the following resolution:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the general act signed at Brussels July 2, 1890, by the plenipotentiaries of the United States and other powers, for the suppression of the African slave trade and for other purposes.

Resolved further, That the Senate advise and consent to the acceptance of the partial ratification of the said general act on the part of the French Republic, and to the stipulations relative thereto, as set forth in the protocol signed at Brussels, January 2, 1892.

Resolved further, as a part of this act of ratification, That the United States of America, having neither possessions nor protectorates in Africa, hereby disclaims any intention, in ratifying this treaty, to indicate any interest whatsoever in the possessions or protectorates established or claimed on that continent by the other powers, or any approval of the wisdom, expediency, or lawfulness thereof, and does not join in any expressions in the said general act which might be construed as such a declaration or acknowledgment; and, for this reason, that it is desirable that a copy of this resolution be inserted in the protocol to be drawn up at the time of the exchange of ratifications of this treaty on the part of the United States.

On motion by Mr. Sherman, and by unanimous consent,

The said general act (having heretofore been read the second time) was considered as in Committee of the Whole, and no amendment being made it was reported to the Senate; and

On the question to agree to the resolution reported from the Committee on Foreign Relations,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr. Sherman, and by unanimous consent,

Ordered, That the injunction of secrecy be removed from all the proceedings of the Senate in relation to the general act (Executive B, Fifty-first Congress, second session) between the United States and other powers for the repression of the African slave trade, etc.

TREATY WITH FRANCE, 1892.

CONVENTION FOR THE EXTRADITION OF CRIMINALS CONCLUDED BETWEEN THE UNITED STATES AND FRANCE, SIGNED AT PARIS MARCH 25, 1892.

WEDNESDAY, APRIL 13, 1892.

The convention for the extradition of criminals concluded between the United States and France, signed at Paris March 25, 1892, was read the first time.

On motion by Mr. Sherman,

Ordered, That the said convention be referred to the Committee on Foreign Relations, and, together with the message, be printed, in confidence, for the use of the Senate.

On motion by Mr. Hoar, at 5 o'clock p. m.,
The doors were opened; and
The Senate adjourned.

WEDNESDAY, APRIL 20, 1892.

Mr. Sherman, from the Committee on Foreign Relations, to whom was referred, the 13th instant, the convention (Executive F) for the extradition of criminals, concluded between the United States and France, at Paris, on March 25, 1892, reported it without amendment.

MONDAY, MAY 2, 1892.

On motion by Mr. Sherman,

The convention (Executive F) for the extradition of criminals, concluded between the United States and France, at Paris, on March 25, 1892, was read the second time and considered as in Committee of the Whole.

Pending debate,

On motion by Mr. Sherman, at 4 o'clock and 10 minutes p. m.,
The doors were opened; and
The Senate adjourned.

TUESDAY, MAY 3, 1892.

The Senate resumed the consideration of the convention (Executive F) for the extradition of criminals, concluded between the United States and France, at Paris, on March 25, 1892.

Pending debate,

On motion by Mr. Harris, at 5 o'clock and 13 minutes p. m.,
The doors were opened; and
The Senate adjourned.

TUESDAY, MAY 10, 1892.

On motion by Mr. Sherman,

The Senate resumed, as in Committee of the Whole, the consideration of the convention for the extradition of criminals, concluded between the United States and France on March 25, 1892.

Mr. Morgan submitted the following amendment, viz:

Article 2, paragraph 1, after the word "murder," strike out the words "comprehending the crimes designated in the French penal code as" and insert a semicolon after the words, "murder," "assassination," "parricide," and "infanticide;" and

After the word "rape," in paragraph 2 of the same article, strike out the words "comprehending the corresponding crimes designated in articles 331 and 332 of the French penal code" and insert a semicolon after the word "rape."

After debate,

On the question to agree to the proposed amendment,

It was determined in the affirmative, { Yeas----- 24
Nays----- 21

On motion by Mr. Morgan,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Berry, Blodgett, Call, Cameron, Carlisle, Chandler, Cockrell, George, Gibson of Maryland, Gorman, Hawley, Hill, Kyle, McPherson, Mills, Mitchell, Morgan, Palmer, Pascoe, Teller, Vest, Vilas, Walthall, and Wolcott.

Those who voted in the negative are,

Messrs. Casey, Cullom, Dixon, Dolph, Dubois, Frye, Gray, Hale, Hansbrough, Higgins, Hiscock, Hoar, McMillan, Pettigrew, Proctor, Sanders, Sawyer, Sherman, Shoup, Stockbridge, and Washburn.

So the amendment was agreed to.

Mr. Chandler submitted the following amendment, viz:

Article 2, paragraph 1, after the word "manslaughter," insert the words "when voluntary."

After debate,

On the question to agree to the proposed amendment,

It was determined in the negative, { Yeas----- 21
Nays----- 24

On motion by Mr. Chandler,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Bate, Berry, Call, Carlisle, Chandler, Cockrell, Coke, George, Gorman, Hawley, Higgins, Hill, Kyle, McPherson, Mills, Morgan, Palmer, Teller, Vest, Vilas, and Walthall.

Those who voted in the negative are,

Messrs. Casey, Cullom, Dawes, Dixon, Dolph, Dubois, Frye, Gray, Hale, Hansbrough, Hiscock, Hoar, McMillan, Mitchell, Paddock, Pasco, Perkins, Power, Proctor, Sanders, Sawyer, Sherman, Shoup, and Stockbridge.

So the proposed amendment was not agreed to.

Mr. McPherson submitted the following amendment, viz:

Article 2, paragraph 8, after the word "larceny," strike out the words "obtaining money, valuable securities, or other property by false pretences."

After debate,

On the question to agree to the proposed amendment,

It was determined in the negative, { Yeas----- 18
Nays----- 29

On motion by Mr. McPherson,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Berry, Blackburn, Blodgett, Brice, Call, Chandler, Coke, George, Gorman, Hill, Kyle, McPherson, Mills, Pasco, Stewart, Vest, Vilas, and Walthall.

Those who voted in the negative are,

Messrs. Aldrich, Barbour, Casey, Cullom, Dawes, Dixon, Dolph, Dubois, Frye, Gray, Hansbrough, Hawley, Higgins, Hiscock, McMillan, Manderson, Mitchell, Morgan, Paddock, Platt, Proctor, Pugh, Sanders, Sawyer, Sherman, Shoup, Stockbridge, Warren, and Washburn.

So the proposed amendment was not agreed to.

Mr. George submitted the following amendment, viz:

Article 7, after the words "delivered up," insert the words "nor shall such person be arrested or delivered on civil process for a cause accrued before extradition."

After debate,

The proposed amendment was agreed to.

On motion by Mr. Morgan, to further amend the convention, as follows:

Article 2, paragraph 11, after the word "adults," strike out the words "defined to be the detention of a person or persons in order to exact money of them or their families or for any other unlawful end."

After debate,

On the question to agree to the proposed amendment,

It was determined in the affirmative.

On motion by Mr. Morgan to strike out of the fourth article the following words, to wit: "even by telegraph,"

After debate,

It was determined in the negative.

On motion by Mr. Morgan to strike out of the fourth article the following words, to wit: "In both countries, in case of urgency, the application for arrest and detention may be addressed directly to the competent magistrate in conforming to the statutes in force."

Pending debate,

On motion by Mr. Manderson, at 5 o'clock and 40 minutes p. m.,

The doors were opened; and

The Senate adjourned.

WEDNESDAY, MAY 11, 1892.

The Senate resumed the consideration of the convention (Executive F) for the extradition of criminals, concluded between the United States and France, at Paris, on March 25, 1892; and

The question being on the amendment proposed by Mr. Morgan,

After debate,

It was determined in the negative.

Mr. Vilas proposed the following amendment, to wit: Strike out paragraph 1, of article 4, in the following words, "The arrest and detention of a fugitive may be applied for on information, even by telegraph, of the existence of a judgment of conviction or of a warrant of arrest."

Pending debate,

On motion by Mr. Cameron,

That the Senate adjourn,

It was determined in the negative,	{ Yeas -----	6
	{ Nays -----	37

On motion by Mr. Sherman,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,
Messrs. Barbour, Bate, Brice, George, Turpie, and Vest.

Those who voted in the negative are,

Messrs. Allison, Berry, Blodgett, Chandler, Coke, Cullom, Davis, Dawes, Dolph, Dubois, Frye, Gorman, Gray, Hale, Hawley, Higgins, Hill, Hiscock, Kyle, McPherson, Mitchell, Morgan, Morrill, Paddock, Palmer, Pettigrew, Pugh, Ransom, Sawyer, Sherman, Shoup, Squire, Stewart, Stockbridge, Teller, Vilas, and Washburn.

So the Senate refused to adjourn.

The number of Senators voting, not constituting a quorum,

The President pro tempore directed the roll to be called;

When,

Fifty Senators answered to their names.

A quorum being present,

The Senate resumed the consideration of the amendment proposed by Mr. Vilas;

After further debate,

The proposed amendment was disagreed to.

On motion by Mr. Chandler, to amend article 3, by adding at the end of paragraph 2 the following words, to wit: "Like copies of depositions, or other evidence of guilt, shall be produced, where the fugitive was convicted without his personal presence in court,"

It was determined in the negative.

No further amendment being made, the convention, as amended, was reported to the Senate, and the amendments made in Committee of the Whole were unanimously concurred in.

Mr. Sherman submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the convention for the extradition of criminals, concluded between the United States and France, at Paris, on March 25, 1892, with the following

AMENDMENTS:

Article 2, paragraph 1, after the word "murder," strike out the words "comprehending the crimes designated in the French penal code, as," and insert a semicolon after the words "murder," "assassination," "paricide," and "infanticide," and

After the word "rape," in paragraph 2 of the same article, strike out the words, "comprehending the corresponding crimes designated in articles 331 and 332 of the French penal code," and insert a semicolon after the word "rape."

Article 2, paragraph 11, after the word "adults," strike out the words "defined to be the detention of a person or persons in order to exact money of them or their families or for any other unlawful end."

Article 7, after the words "delivered up," insert the words "nor shall such person be arrested or delivered on civil process for a cause accrued before extradition."

On motion by Mr. Sherman,

The Senate proceeded by unanimous consent to consider the said resolution; and

On the question to agree thereto,

The yeas were 23, and the nays were 23.

Those who voted in the affirmative are,

Messrs. Allison, Cameron, Cullom, Davis, Dawes, Dixon, Dolph, Dubois, Frye, Gray, Hale, Hawley, Higgins, Hiscock, McMillan, Manderson, Mitchell, Paddock, Pettigrew, Platt, Sawyer, Sherman, and Shoup.

Those who voted in the negative are,

Messrs. Barbour, Bate, Berry, Blackburn, Blodgett, Brice, Chandler, Cockrell, Coke, Colquitt, Gorman, Hill, Kyle, McPherson, Mills, Morgan, Palmer, Pugh, Ransom, Teller, Turpie, Vest, and Vilas.

So it was

Resolved, That the Senate do not advise and consent to the ratification of the convention for the extradition of criminals, concluded between the United States and France, at Paris, on March 25, 1892, two-thirds of the Senators present not having voted in the affirmative.

Mr. Chandler submitted a motion,

That the Senate reconsider the votes, disagreeing to the resolution of the Senate of this day, to advise and consent to the ratification of the convention for the extradition of criminals between the United States and France.

On motion by Mr. Hale, at 4 o'clock and 45 minutes p. m.,

The doors were opened; and

The Senate adjourned.

TREATY WITH GREAT BRITAIN, 1897.

[Great Britain: Arbitration, Ex. D, 54th, 2d.]

THURSDAY, MARCH 18, 1897.

Mr. Davis, from the Committee on Foreign Relations, to whom was, the 8th instant, recommitted the treaty (Executive D of the Fifty-fourth Congress, second session) between the United States and Great Britain for the arbitration of matters in difference between the two countries, signed at Washington, January 11, 1897, reported the same with amendments.

Mr. Davis, at the same time, submitted a resolution to advise and consent to the ratification of said treaty with amendments.

Ordered, That said treaty, with the amendments reported from the Committee, be printed in confidence for the use of the Senate.

FRIDAY, MARCH 19, 1897.

On motion by Mr. Davis,

The Senate proceeded to consider the treaty (Executive D, last session) between the United States and Great Britain for the arbitration of matters in difference between the two countries, signed at Washington, January 11, 1897.

The said treaty was again read, and considered as in Committee of the Whole.

The treaty being considered by articles,

The question was to agree to the amendment reported from the Committee on Foreign Relations, to wit:

Add, at the end of Article I, the following: *and any agreement to submit, together with its formulations, shall, in every case, before it becomes final, be communicated by the President of the United States to the Senate with his approval, and be concurred in by two-thirds of the Senators present, and shall also be approved by Her Majesty, the Queen of the United Kingdom of Great Britain and Ireland.*

After debate,

On motion by Mr. Cullom, at 3 o'clock and 48 minutes p. m.,

The Senate adjourned.

MONDAY, MARCH 22, 1897.

The Senate resumed the consideration of the treaty (Executive D) between the United States and Great Britain for the arbitration of matters in difference between the two countries, signed at Washington, January 11, 1897.

The question was to agree to the amendment to Article I, reported from the Committee on Foreign Relations, which was under consideration on the 19th instant.

On the question to agree to the said amendment,

It was determined in the affirmative.

The Senate having under consideration the amendment reported from the Committee on Foreign Relations, to wit:

In Article III strike out: "Each of the high contracting parties shall nominate one arbitrator, who shall be a jurist of repute, and the two arbitrators so nominated shall within two months of the date of their nomination select an umpire," and insert, in lieu thereof: *Each of the high contracting parties shall nominate two arbitrators, who shall be jurists of repute, and the two nominated by the President of the United States shall be appointed by and with the advice and consent of the Senate, and the four arbitrators shall, within two months from the date of their appointment, select an umpire;*

Mr. Morgan moved to amend as follows: Strike out of the said proposed amendment the words, "who shall be jurists of repute."

After debate,

Mr. Allen raised a question as to the presence of a quorum; and

The roll was called and fifty-seven Senators answered to their names.

A quorum being present,

On the question to agree to the amendment to the amendment,

It was determined in the negative,	{ Yeas-----	24
	{ Nays-----	26

On motion by Mr. Morgan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Bate, Berry, Cannon, Chandler, Clay, Cockrell, Earle, Foraker, Gallinger, Harris of Kansas, Hawley, Heitfeld, Mason, Mills, Pasco, Pettigrew, Pettus, Pritchard, Rawlins, Roach, Tillman, Vest, and Walthall.

Those who voted in the negative are,

Messrs. Aldrich, Allison, Burrows, Caffery, Carter, Chilton, Clark, Cullom, Davis, Fairbanks, Hanna, Hoar, Lindsay, Lodge, McEnery, McMillan, Martin, Perkins, Platt of Connecticut, Proctor, Spooner, Thurston, Turner, Turpie, Wellington, and Wilson.

So the amendment proposed by Mr. Morgan to the committee amendment was not agreed to.

The question recurred on the amendment reported from the Committee on Foreign Relations;

Pending which,

On motion by Mr. Davis,

It was agreed, by unanimous consent, that the committee amendments be proceeded with for consideration, after which amendments could be proposed by Senators to such of the committee amendments as shall have been agreed to by the Senate as in Committee of the Whole.

On the question to agree to the pending amendment,
It was determined in the affirmative.

On the question to agree to the amendment reported from the Committee on Foreign Relations, to wit:

In Article III strike out "In case they shall fail to agree upon an umpire within three months of the date of an application made to them in that behalf by the high contracting parties or either of them, the umpire shall be selected in the manner provided for in Article X."

It was determined in the affirmative.

On the question to agree to the further amendment reported from said committee, to wit:

In the last paragraph of Article III, strike out "person," and insert, in lieu thereof, *umpire*.

It was determined in the affirmative.

On the question to agree to the amendments reported from the Committee on Foreign Relations, to wit:

In Article V, after "viz," strike out "two by each of the high contracting parties and one, to act as umpire, by the four thus nominated and to be chosen within three months after the date of their nomination," and insert, in lieu thereof, *two by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, two to be nominated by the President of the United States, and appointed by and with the advice and consent of the Senate, and one to act as umpire, to be chosen by the four thus nominated within three months after the date of their nomination;*

Also to strike out of the same article the following: "In case they shall fail to agree upon an umpire within three months of the date of an application made to them in that behalf by the high contracting parties or either of them, the umpire shall be selected in the manner provided for in Article X;"

Also, in the last paragraph of the same Article V, strike out "person" and insert *umpire*;

It was determined in the affirmative.

The Senate considered the amendment to Article VI, reported from the Committee on Foreign Relations, to wit: Strike out "judges of the Supreme Court of the United States or justices of the circuit courts," and insert, in lieu thereof, *jurists of repute*.

Mr. Chandler demanded a division of the question; and

The question being divided,

On the question to agree to the amendment to strike out the word stated,

It was determined in the affirmative.

On the question to agree to the second part of the question, to wit: Insert, in lieu, the words *jurists of repute*.

It was determined in the affirmative, { Yeas----- 27
Nays----- 20

On motion by Mr. Chandler,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allison, Burrows, Caffery, Chilton, Clark, Cullom, Davis, Elkins, Foraker, Frye, Hanna, Hoar, Lindsay, Lodge, McEnery, Martin, Morrill, Perkins, Pettigrew, Pritchard, Shoup, Spooner, Thurston, Turner, Turpie, Wellington, and Carter.

Those who voted in the negative are,
Messrs. Bacon, Bate, Berry, Chandler, Clay, Cockrell, Earle, Gallinger, Harris of Kansas, Heitfeld, Kenney, McMillan, Mason, Mills, Pettus, Rawlins, Roach, Stewart, Tillman, and Vest,

So the amendment was agreed to.

On the question to agree to the amendment reported from the Committee on Foreign Relations, to wit: In Article VI, after the clause "to be nominated by the President of the United States," insert *and appointed by and with the advice and consent of the Senate*,

It was determined in the affirmative.

On the question to agree to the amendment reported from the Committee on Foreign Relations in Article VIII, to wit:

In the first paragraph of said article, after "appoint," insert *by and with the advice and consent of the Senate*,

It was determined in the affirmative.

On the question to agree to the amendment reported from the committee, to wit:

Strike out all of Article X, which is as follows:

"ARTICLE X.

"If in any case the nominating bodies designated in Articles III and V shall fail to agree upon an umpire in accordance with the provisions of the said articles, the umpire shall be appointed by His Majesty the King of Sweden and Norway.

"Either of the high contracting parties, however, may at any time give notice to the other that, by reason of material changes in conditions existing at the date of this treaty, it is of opinion that a substitute for His Majesty should be chosen either for all cases to arise under the treaty or for a particular specified case already arisen, and thereupon the high contracting parties shall at once proceed to agree upon such substitute to act either in all cases to arise under the treaty or in the particular case specified as may be indicated by said notice; provided, however, that such notice shall have no effect upon an arbitration already begun by the constitution of an arbitral tribunal under Article III.

"The high contracting parties shall also at once proceed to nominate a substitute for His Majesty in the event that His Majesty shall at any time notify them of his desire to be relieved from the functions graciously accepted by him under this treaty either for all cases to arise thereunder or for any particular specified case already arisen."

It was determined in the affirmative.

There being no other committee amendments proposed for consideration, the treaty (being still in Committee of the Whole) was again proceeded with by articles for the consideration of further amendments.

Whereupon,

Mr. Chilton proposed an amendment to Article I.

Pending which,

After debate,

On motion by Mr. Davis, at 5 o'clock and 50 minutes p. m.,

The doors were opened; and

The Senate adjourned.

TUESDAY, MARCH 23, 1897.

The arbitration treaty (Executive D) was read by its title for further consideration,

Whereupon,

On motion by Mr. Davis, at 3 o'clock and 23 minutes p. m.,

The Senate resumed the consideration of legislative business.

WEDNESDAY, MARCH 24, 1897.

The Senate resumed the consideration of the treaty (Executive D) between the United States and Great Britain for the arbitration of matters in difference between the two countries, signed at Washington, January 11, 1897.

Mr. Carter raised a question as to the presence of a quorum;

Whereupon,

The roll being called, fifty-two Senators answered to their names.

A quorum being present,

The Senate proceeded with the consideration of the amendment proposed by Mr. Chilton to Article I.

After debate,

On motion by Mr. Hoar,

Ordered, That all amendments to said treaty offered to date be printed in confidence for the use of the Senate.

On motion by Mr. Davis, at 5 o'clock p. m.,

The doors were opened; and

The Senate adjourned.

THURSDAY, MARCH 25, 1897.

The Senate resumed the consideration of the treaty (Executive D) between the United States and Great Britain for the arbitration of matters in difference between the two countries, signed at Washington, January 11, 1897.

The question being to agree to the amendment proposed by Mr. Chilton to Article I,

Mr. Tillman, by unanimous consent, proposed an amendment to the committee amendment heretofore agreed to, as follows, to wit: Strike out "and" which follows "negotiation," and insert in lieu thereof *Provided*.

On the question to agree thereto,

It was determined in the affirmative.

The Senate resumed the consideration of the amendment proposed by Mr. Chilton to Article I.

After debate,

Mr. Chilton raised a question as to the presence of a quorum;

Whereupon,

The roll being called, forty-eight Senators answered to their names.

A quorum being present,

The Senate further considered the said amendment;

Pending which,

On motion by Mr. Hoar, at 8 o'clock and 56 minutes p. m.,

The Senate resumed the consideration of legislative business.

FRIDAY, MARCH 26, 1897.

The Senate resumed the consideration of the treaty (Executive D) between the United States and Great Britain for the arbitration of matters in difference between the two countries, signed at Washington, January 11, 1897.

The question being upon the amendment proposed by Mr. Chilton to Article I;

Pending which,

After debate,

On motion by Mr. Davis, at 4 o'clock p. m.,

The doors were opened; and

The Senate adjourned.

MONDAY, MARCH 29, 1897.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty (Executive D) between the United States and Great Britain for the arbitration of matters in difference between the two countries, signed at Washington, January 11, 1897.

The pending question being to agree to the amendment by Mr. Chilton to Article I;

After debate,

On motion by Mr. Davis, at 3 o'clock and 10 minutes p. m.,

The doors were opened; and

The Senate adjourned.

TUESDAY, MARCH 30, 1897.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty (Executive D) between the United States and Great Britain for the arbitration of matters in difference between the two countries, signed at Washington, January 11, 1897.

Mr. Hoar presented an amendment intended to be proposed to Article I.

Mr. Bacon presented an amendment intended to be proposed to Article VII.

Ordered, That they be printed in confidence.

Pending debate on the amendment proposed by Mr. Chilton to Article I,

On motion by Mr. Cullom, at 4 o'clock and 35 minutes p. m.,

The doors were opened; and

The Senate adjourned.

WEDNESDAY, MARCH 31, 1897.

The Vice President announced that

The hour of 2 o'clock having arrived (under an agreement in the Senate),

The pending treaty of arbitration would be taken up for consideration.

Thereupon, the Senate, as in Committee of the Whole, resumed the consideration of the treaty (Executive D) between the United States and Great Britain for the arbitration of matters in difference between the two countries, signed at Washington, January 11, 1897.

Mr. Chilton withdrew the pending amendment to Article I, proposed by him on the 24th instant.

Thereupon Mr. Hoar proposed to amend Article I as follows, to wit:

In Article I, after "negotiation," insert: *But no difference shall be submitted under this treaty which, in the judgment of either power, materially affects its honor, the integrity of its territory, or its foreign or domestic policy. Nor shall the question be submitted whether any treaty, once existing, continue in force: Provided, That the agreement to submit, with its formulations, shall in every case, before it becomes final, be communicated by the President of the United States to the Senate with his approval, and be concurred in by two-thirds of the Senators present, and shall also be approved by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland.*

On the question to agree thereto,

It was determined in the affirmative, { Yeas----- 54
Nays----- 18

On motion by Mr. Stewart,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Allison, Bacon, Bate, Berry, Burrows, Butler, Caffery, Cannon, Carter, Chandler, Chilton, Clark, Clay, Cockrell, Fairbanks, Faulkner, Foraker, Gallinger, Gorman, Hale, Hanna, Hansbrough, Harris of Kansas, Hawley Hoar, Jones of Arkansas, Kyle, Lindsay, Lodge, McEnery, Mantle, Martin, Mills, Mitchell, Morgan, Nelson, Pasco, Perkins, Pettus, Platt of Connecticut Proctor, Quay, Rawlins, Roach, Sewell, Spooner, Thurston, Tillman, Turner, Vest, Walthall, Warren, and Wilson.

Those who voted in the negative are,

Messrs. Aldrich, Baker, Cullom, Davis, Frye, Gray, Pettigrew, Platt of New York, Pritchard, Stewart, Turpie, Wellington, and Wetmore.

So the amendment was agreed to.

Mr. Chilton again proposed the amendment offered by him to Article I, to wit:

In Article I, after "negotiation," insert *and which may, as said question arises, be deemed by them to be proper subjects of arbitration.*

Mr. Hoar moved to lay the amendment, proposed by Mr. Chilton, on the table; and

On the question to agree thereto,

It was determined in the affirmative, { Yeas----- 48
Nays----- 27

On motion by Mr. Chilton, the yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Aldrich, Allison, Burrows, Caffery, Chandler, Clark, Cullom, Davis, Fairbanks, Frye, Gallinger, Gear, Gray, Hale, Hanna, Hawley, Hoar, Lindsay, Lodge, McBride, Mason, Morrill, Murphy, Nelson, Pasco, Perkins, Platt of Connecticut, Platt of New York, Pritchard, Proctor, Quay, Sewell, Spooner, Thurston, Turner, Turpie, Vest, Walthall, Warren, Wellington, Wetmore, Wilson, and Wolcott.

Those who voted in the negative are,

Messrs. Allen, Bacon, Baker, Bate, Berry, Butler, Cannon, Carter, Chilton, Clay, Cockrell, Faulkner, Gorman, Harris of Kansas, Jones

of Arkansas, Kyle, Mantle, Martin, Mills, Mitchell, Morgan, Pettigrew, Pettus, Rawlins, Roach, Stewart, and Tillman.

So the amendment was laid on the table.

Mr. Morgan proposed to amend Article I as follows, to wit:

Strike out the words "diplomatic negotiation" and insert in lieu thereof *treaty or convention*.

Mr. Davis moved to lay the said proposed amendment on the table; and

On the question to agree thereto,

It was determined in the affirmative, { Yeas----- 42
Nays----- 24

On motion by Mr. Morgan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Aldrich, Allison, Burrows, Caffery, Chandler, Cullom, Davis, Fairbanks, Faulkner, Frye, Gallinger, Gear, Gray, Hale, Hanna, Hawley, Hoar, Kyle, Lindsay, Lodge, Martin, Mason, Morrill, Murphy, Nelson, Pasco, Perkins, Platt of Connecticut, Platt of New York, Pritchard, Proctor, Sewell, Spooner, Tillman, Turpie, Vest, Walthall, Warren, Wellington, Wetmore, Wilson, and Wolcott.

Those who voted in the negative are,

Messrs. Allen, Bacon, Baker, Bate, Berry, Butler, Cannon, Carter, Chilton, Clay, Cockrell, Gorman, Harris of Kansas, Jones of Arkansas, Mantle, Mills, Mitchell, Morgan, Pettus, Quay, Rawlins, Roach, Stewart, and Turner.

So the proposed amendment was laid on the table.

Mr. Cockrell proposed to amend as follows, to wit:

In Article II strike out "£100,000" and insert in lieu thereof \$500,000.

Mr. Davis moved to lay the said proposed amendment on the table; and

On the question to agree thereto,

It was determined in the affirmative, { Yeas----- 38
Nays----- 22

On motion by Mr. Cockrell,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allison, Burrows, Caffery, Chandler, Clark, Cullom, Davis, Fairbanks, Faulkner, Frye, Gallinger, Gear, Gray, Hale, Hanna, Hawley, Hoar, Lindsay, Lodge, McEnery, Martin, Mason, Morrill, Murphy, Nelson, Perkins, Platt of Connecticut, Platt of New York, Pritchard, Proctor, Quay, Spooner, Turner, Vest, Walthall, Warren, Wellington, and Wetmore.

Those who voted in the negative are,

Messrs. Allen, Bacon, Bate, Berry, Butler, Cannon, Carter, Chilton, Clay, Cockrell, German, Harris of Kansas, Kyle, Mantle, Mills, Mitchell, Morgan, Pasco, Pettus, Rawlins, Roach, and Stewart.

So the proposed amendment was laid on the table.

Mr. Foraker moved to amend as follows, to wit:

In Article III, in the first line of the amendment reported from the Committee on Foreign Relations, after "shall nominate," insert *in each case submitted*.

Mr. Davis moved to lay the said proposed amendment on the table; and

On the question to agree thereto,

It was determined in the negative, { Yeas----- 22
Nays----- 42

On motion by Mr. Foraker,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Burrows, Caffery, Cullom, Davis, Faulkner, Frye, Gear, Gray, Hawley, Lindsay, Lodge, Mason, Morrill, Nelson, Platt of New York, Proctor, Sewell, Turpie, Vest, Wellington, Wetmore, and Wolcott.

Those who voted in the negative are,

Messrs. Allen, Allison, Bacon, Baker, Bate, Berry, Butler, Cannon, Carter, Chandler, Chilton, Clay, Cockrell, Fairbanks, Foraker, Gallinger, Hanna, Hansbrough, Hoar, Jones of Arkansas, Kyle, McEnery, Mantle, Martin, Mills, Mitchell, Morgan, Murphy, Pasco, Perkins, Pettus, Pritchard, Quay, Rawlins, Roach, Spooner, Stewart, Tillman, Turner, Walthall, Warren, and Wilson.

So the motion to table was not agreed to.

On the question to agree to the said proposed amendment,

It was determined in the affirmative.

Mr. Foraker proposed three additional amendments, which, by unanimous consent, were considered at the present time as follows:

In Article V, line 72, before "Tribunal," strike out "the" and insert in lieu thereof *a*.

On the question to agree thereto,

It was determined in the affirmative.

Also,

In Article V, line 79, after "selected" insert *in each such case*.

On the question to agree thereto,

It was determined in the affirmative.

Also,

In Article VI, line 103, after "to be nominated," insert *in each case*.

On the question to agree thereto,

It was determined in the affirmative.

Mr. Chilton proposed to amend Article VI as follows, to wit:

Strike out the last paragraph of Article VI, which is as follows:

"In the event of an award made by less than the prescribed majority and protested as above provided, or if the members of the arbitral tribunal shall be equally divided, there shall be no recourse to hostile measures of any description until the mediation of one or more friendly powers has been invited by one or both of the high contracting parties."

Mr. Davis moved to lay the proposed amendment on the table; and

On the question to agree thereto,

It was determined in the affirmative, { Yeas----- 38
Nays----- 27

On motion by Mr. Chilton,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allison, Caffery, Clark, Cullom, Davis, Fairbanks, Faulkner, Foraker, Frye, Gallinger, Gear, Gray, Hale, Hawley, Hoar, Lindsay, Lodge, McBride, Morrill, Murphy, Nelson, Perkins, Pettigrew, Platt of Connecticut, Platt of New York, Pritchard, Proctor, Quay, Sewell, Spooner, Turner, Turpie, Vest, Walthall, Wellington, Wetmore, Wilson, and Wolcott.

Those who voted in the negative are,

Messrs. Allen, Bacon, Baker, Bate, Berry, Burrows, Butler, Cannon, Carter, Chandler, Chilton, Clay, Cockrell, Hanna, Harris of Kansas, Kyle, McEnery, Mantle, Martin, Mills, Mitchell, Morgan, Pasco, Pettus, Rawlins, Roach, and Stewart.

So the proposed amendment was laid on the table.

Mr. Rawlins proposed to amend Article II as follows, to wit:

In the first paragraph of Article II, strike out "shall be dealt with" and insert in lieu thereof *may be submitted to*.

Mr. Davis moved to lay the amendment on the table; and

On the question to agree thereto,

It was determined in the affirmative, {	Yeas-----	39
	Nays-----	25

On motion by Mr. Rawlins,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Allison, Burrows, Caffery, Clark, Cullom, Davis, Fairbanks, Faulkner, Frye, Gallinger, Gear, Gray, Hale, Hanna, Hawley, Hoar, Lindsay, Lodge, McBride, McEnery, Mason, Morrill, Nelson, Perkins, Platt of Connecticut, Platt of New York, Pritchard, Proctor, Sewell, Spooner, Turner, Turpie, Vest, Walthall, Warren, Wellington, Wetmore, Wilson, and Wolcott.

Those who voted in the negative are,

Messrs. Allen, Baker, Bate, Berry, Butler, Cannon, Carter, Chandler, Chilton, Clay, Cockrell, Gorman, Harris of Kansas, Kyle, Mantle, Martin, Mills, Mitchell, Morgan, Pasco, Pettus, Quay, Rawlins, Roach, and Stewart.

So the proposed amendment was laid on the table.

Mr. Rawlins also proposed to amend Article VI as follows:

In the latter part of the first paragraph of Article VI strike out "three months," and insert in lieu thereof *one year*.

Mr. Davis moved to lay the proposed amendment on the table; and

On the question to agree to lay on the table,

It was determined in the affirmative.

Mr. Rawlins proposed to amend Article VII as follows:

In Article VII, strike out "and the same shall be dealt with by arbitration under Article VI."

Mr. Davis moved to lay the proposed amendment on the table; and

On the question to agree to the motion to lay on the table,

It was determined in the affirmative.

Mr. Mills proposed to amend Article XIV as follows:

In Article XIV, after "operation," strike out "and further until the expiration of twelve months after either of the high contracting parties shall have given notice to the other of its wish to terminate the same."

Mr. Davis moved to lay the proposed amendment on the table; and
On the question to agree thereto.

It was determined in the affirmative, { Yeas----- 30
Nays----- 26

On motion by Mr. Mills,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Allison, Burrows, Caffrey, Cullom, Davis, Fairbanks,
Faulkner, Frye, Gallinger, Gear, Gray, Hanna, Hawley, Hoar, Lind-
say, Lodge, McBride, Morrill, Nelson, Perkins, Platt of Connecticut,
Platt of New York, Proctor, Quay, Spooner, Vest, Walthall, War-
ren, Wellington, and Wetmore.

Those who voted in the negative are,

Messrs. Allen, Bacon, Bate, Berry, Butler, Cannon, Chandler, Car-
ter, Chilton, Clay, Cockrell, Gorman, Hansborough, Harris of Kan-
sas, Kyle, McEnery, Mantle, Martin, Mason, Mills, Morgan, Pettus,
Rawlins, Roach, Stewart, and Turner.

So the proposed amendment was laid on the table.

Several additional amendments were, by unanimous consent, pro-
posed, and lie over until to-morrow, as follows:

By Mr. Butler: To amend Article I.

By Mr. Bacon: To amend Article I.

By Mr. Morgan: To strike out Article VII.

By Mr. Morgan: To strike out Article VIII.

On motion by Mr. Davis,

Ordered, That the pending treaty, together with the amendments to this
time agreed to, be printed in confidence for the use of the Senate.

On motion by Mr. Davis, at 4 o'clock p. m.,

The doors were opened; and

The Senate adjourned.

THURSDAY, APRIL 1, 1897.

The Senate, as in Committee of the Whole, resumed the considera-
tion of the treaty (Executive D) between the United States and Great
Britain for the arbitration of matters in difference between the two
countries, signed at Washington, January 11, 1897.

Mr. Hawley raised a question as to the presence of a quorum;

Whereupon,

The roll being called, sixty-five Senators answered to their names.

A quorum being present,

Mr. Butler proposed to amend Article I as follows:

In Article I, after "negotiation," insert *and convention or treaty*.

Mr. Davis moved to lay the proposed amendment on the table; and

On the question to agree to the motion to lay on the table,

It was determined in the affirmative, { Yeas----- 36
Nays----- 23

On motion by Mr. Butler,

The yeas and nays being desired by one-fifth of the Senators
present,

Those who voted in the affirmative are,

Messrs. Berry, Burrows, Caffery, Chandler, Clark, Cullom, Davis,
Fairbanks, Faulkner, Frye, Gear, Gray, Hale, Hanna, Hawley, Hoar,

Lindsay, Lodge, Martin, Mason, Murphy, Nelson, Pasco, Perkins, Pritchard, Proctor, Sewell, Smith, Spooner, Thurston, Turpie, Vest, Walthall, Wellington, Wetmore, and Wilson.

Those who voted in the negative are,

Messrs. Allen, Bacon, Baker, Bate, Butler, Chilton, Clay, Elkins, Hansbrough, Harris of Kansas, Heitfeld, McEnery, Mills, Mitchell, Morgan, Pettigrew, Pettus, Quay, Rawlins, Roach, Stewart, Tillman, and Turner.

So the proposed amendment was laid on the table.

Mr. Butler moved to strike out the proviso of the amendment proposed by Mr. Hoar to Article I and agreed to yesterday, which is as follows:

Provided, That the agreement to submit, with its formulations, shall in every case, before it becomes final, be communicated by the President of the United States to the Senate with his approval, and be concurred in by two-thirds of the Senators present, and shall also be approved by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland.

The amendment was considered by unanimous consent and agreed to.

Mr. Chilton proposed to amend Article I as follows:

In Article I, after "fail," and before "to adjust," insert *otherwise*; also in the same article strike out "by diplomatic negotiation."

Mr. Davis moved to lay the proposed amendment on the table; and On the question to agree thereto,

It was determined in the affirmative, {Yeas----- 33
Nays----- 30

On motion by Mr. Chilton,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Burrows, Caffery, Carter, Chandler, Clark, Davis, Fairbanks, Faulkner, Frye, Gallinger, Gear, Gray, Hale, Hanna, Hawley, Hoar, Lindsay, Lodge, McEnery, Mason, Nelson, Perkins, Pritchard, Proctor, Sewell, Smith, Spooner, Thurston, Turpie, Vest, Walthall, Wetmore, and Wilson.

Those who voted in the negative are,

Messrs. Allen, Bacon, Baker, Bate, Berry, Butler, Cannon, Chilton, Clay, Elkins, Gorman, Hansborough, Harris of Kansas, Heitfeld, Jones of Arkansas, Martin, Mills, Mitchell, Morgan, Murphy, Pasco, Pettigrew, Pettus, Quay, Rawlins, Roach, Stewart, Tillman, Turner, and Wellington.

So the proposed amendment was laid on the table.

Mr. Hoar proposed to amend Article I as follows:

In the amendment heretofore agreed to to Article I, after the phrase "continue in force," insert *nor shall any claim against any State of the United States, alleged to be due to the Government of Great Britain, or to any subject thereof, be a subject-matter of arbitration under this treaty.*

Mr. Davis moved to lay the proposed amendment on the table; and On the question to agree thereto,

It was determined in the negative, {Yeas----- 24
Nays----- 40

On motion by Mr. Bacon,
The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,
Messrs. Caffery, Clark, Cullum, Davis, Fairbanks, Frye, Gallinger, Gear, Gray, Hanna, Hawley, Lindsay, Lodge, Mason, Pettigrew, Pritchard, Proctor, Sewell, Smith, Thurston, Turpie, Vest, Wetmore, and Wilson.

Those who voted in the negative are,
Messrs. Allen, Bacon, Baker, Bate, Berry, Burrows, Butler, Cannon, Carter, Chandler, Chilton, Clay, Elkins, Faulkner, Foraker, Gorman, Hale, Hansbrough, Harris of Kansas, Heitfeld, Hoar, Jones of Arkansas, McEnery, Martin, Mitchell, Morgan, Murphy, Nelson, Pasco, Perkins, Pettus, Quay, Rawlins, Roach, Spooner, Stewart, Tillman, Turner, Walthall, and Wellington.

So the motion to lay on the table was not agreed to.

On the question to agree to the proposed amendment,

It was determined in the affirmative.

Mr. Chilton proposed to amend Article VII by striking out the following: "Objections to the jurisdiction of an arbitral tribunal constituted under this treaty shall not be taken except as provided in this article."

Mr. Davis moved to lay the proposed amendment on the table; and
On the question to agree thereto,

It was determined in the affirmative, { Yeas----- 36
Nays----- 23

On motion by Mr. Chilton,
The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,
Messrs. Burrows, Caffery, Chandler, Clark, Cullom, Davis, Elkins, Fairbanks, Faulkner, Frye, Gallinger, Gear, Gray, Hale, Hanna, Hansbrough, Hawley, Hoar, Lindsay, Lodge, McBride, McEnery, Mason, Murphy, Nelson, Perkins, Pritchard, Proctor, Sewell, Spooner, Turpie, Vest, Walthall, Wellington, Wetmore, and Wilson.

Those who voted in the negative are,
Messrs. Allen, Bacon, Baker, Bate, Berry, Cannon, Chilton, Clay, Gorman, Harris of Kansas, Heitfeld, Jones of Arkansas, Martin, Mills, Mitchell, Morgan, Pasco, Pettus, Quay, Rawlins, Roach, Stewart, and Turner.

So the proposed amendment was laid on the table.

Mr. Rawlins proposed to amend as follows, to wit: Strike out all of Article VI.

Mr. Davis moved to lay the proposed amendment on the table; and
On the question to agree thereto,

It was determined in the affirmative, { Yeas----- 38
Nays----- 24

On motion by Mr. Rawlins,
The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,
Messrs. Burrows, Caffery, Chandler, Clark, Cullom, Davis, Elkins, Fairbanks, Faulkner, Frye, Gallinger, Gear, Gray, Hale, Hanna, Hawley, Hoar, Lindsay, Lodge, McBride, McEnery, Mason, Murphy,

Nelson, Pasco, Perkins, Pettus, Pritchard, Proctor, Smith, Spooner, Tillman, Turner, Turpie, Vest, Walthall, Wetmore, and Wilson.

Those who voted in the negative are,

Messrs. Allen, Bacon, Baker, Bate, Berry, Butler, Cannon, Carter, Chilton, Clay, Gorman, Harris of Kansas, Heitfeld, Jones of Arkansas, Martin, Mills, Mitchell, Morgan, Pettigrew, Quay, Rawlins, Roach, Sewell, and Stewart.

So the proposed amendment was laid on the table.

Mr. Spooner proposed to amend Article VII as follows:

In said Article VII, after "thereupon," strike out "it" and insert in lieu thereof *any one of the arbitrators appointed by either of the high contracting parties.*

Mr. Davis moved to lay the proposed amendment on the table; and

On the question to agree thereto,

It was determined in the negative.

On the question to agree to the proposed amendment,

It was determined in the affirmative.

Mr. Morgan proposed to amend as follows:

Strike out all of Article VII, which is as follows:

"ARTICLE VII.

"Objections to the jurisdiction of an arbitral tribunal constituted under this treaty shall not be taken except as provided in this article.

"If before the close of the hearing upon a claim submitted to an arbitral tribunal constituted under Article III or Article V either of the high contracting parties shall move such tribunal to decide, and thereupon it shall decide that the determination of such claim necessarily involves the decision of a disputed question of principle of grave general importance affecting the national rights of such party as distinguished from the private rights whereof it is merely the international representative, the jurisdiction of such arbitral tribunal over such claim shall cease and the same shall be dealt with by arbitration under Article VI."

Mr. Davis moved to lay the proposed amendment on the table; and

On the question to agree thereto,

It was determined in the affirmative,	{ Yeas.....	35
	{ Nays.....	22

On motion by Mr. Bacon,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Burrows, Caffery, Chandler, Cullom, Davis, Elkins, Fairbanks, Faulkner, Frye, Gallinger, Gear, Gray, Hale, Hanna, Hawley, Hoar, Lindsay, Lodge, McBride, Mason, Murphy, Nelson, Pasco, Perkins, Pritchard, Proctor, Sewell, Smith, Spooner, Turner, Turpie, Vest, Walthall, Wellington, and Wetmore.

Those who voted in the negative are,

Messrs. Allen, Bacon, Bate, Baker, Berry, Butler, Cannon, Chilton, Clay, Gorman, Harris of Kansas, Heitfeld, Jones of Arkansas, McEnery, Martin, Mills, Mitchell, Morgan, Pettus, Quay, Rawlins, and Stewart.

So the proposed amendment was laid on the table.

Mr. Pasco proposed to amend Article VIII as follows:

In Article VIII, first paragraph, strike out "judicial officer" and insert in lieu thereof, *jurist of repute.*

Mr. Davis moved to lay the proposed amendment on the table; and
On the question to agree thereto,

It was determined in the negative,	{ Yeas -----	22
	{ Nays -----	34

On motion by Mr. Pasco,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Burrows, Cullom, Davis, Fairbanks, Frye, Gallinger, Gear, Gray, Hanna, Hawley, Hoar, Lindsay, Lodge, McBride, Murphy, Nelson, Pettigrew, Pritchard, Proctor, Sewell, Smith, Thurston, Turpie, Vest, Wellington, and Wetmore.

Those who voted in the negative are,

Messrs. Allen, Bacon, Baker, Bate, Berry, Butler, Caffrey, Cannon, Carter, Chandler, Chilton, Clay, Faulkner, Gorman, Hale, Hansbrough, Harris of Kansas, Heitfeld, Jones of Arkansas, McEnery, Mason, Mills, Mitchell, Morgan, Pasco, Perkins, Pettus, Quay, Roach, Spooner, Stewart, Turner, Walthall, and Wilson.

So the motion to lay on the table was not agreed to.

On the question to agree to the proposed amendment,

It was determined in the affirmative.

Mr. Morgan proposed to amend as follows, to wit:

Strike out all of Article VIII, which is as follows:

"ARTICLE VIII.

"In cases where the question involved is one which concerns a particular State or Territory of the United States, it shall be open to the President of the United States to appoint a judicial officer of such State or Territory to be one of the arbitrators under Article III or Article V or Article VI.

"In like manner in cases where the question involved is one which concerns a British Colony or possession, it shall be open to Her Britannic Majesty to appoint a judicial officer of such Colony or possession to be one of the arbitrators under Article III or Article V or Article VI."

Mr. Davis moved to lay the proposed amendment on the table; and
On the question to agree thereto,

It was determined in the negative,	{ Yeas -----	23
	{ Nays -----	33

On motion by Mr. Morgan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Cullom, Davis, Fairbanks, Frye, Gallinger, Gear, Gray, Hale, Lindsay, Lodge, McEnery, Nelson, Perkins, Pettigrew, Proctor, Sewell, Spooner, Turpie, Vest, Wellington, Wetmore, Hanna, and Hawley.

Those who voted in the negative are,

Messrs. Allen, Bacon, Baker, Bate, Berry, Burrows, Butler, Caffery, Cannon, Carter, Chandler, Chilton, Clay, Gorman, Hansbrough, Harris of Kansas, Heitfeld, Hoar, Jones of Arkansas, Mills, Mitchell, Morgan, Murphy, Pettus, Pritchard, Quay, Rawlins, Roach, Stewart, Thurston, Tillman, Turner, and Walthall.

So the motion to table was not agreed to.

On the question to agree to the proposed amendment,

It was determined in the affirmative.

On motion by Mr. Davis,

Ordered, That the pending treaty of arbitration with Great Britain, together with the amendments agreed to by the Senate, be printed in confidence for the use of the Senate.

On motion by Mr. Davis, at 5 o'clock and 15 minutes p. m.,
The doors were opened; and
The Senate adjourned.

THURSDAY, APRIL 15, 1897.

On motion by Mr. Davis,

The Senate resumed the consideration of the treaty (Executive D) between the United States and Great Britain for the arbitration of matters in difference between the two countries, signed at Washington, January 11, 1897; and

The treaty being under consideration as in Committee of the Whole, Mr. Morgan proposed to amend as follows:

In Article VI strike out " (subject to the provisions of Article VIII) " at both places at which it occurs in said Article VI.

On the question to agree thereto,
It was determined in the affirmative.

No further amendment being proposed,

The treaty, with the proceedings had as in Committee of the Whole, was reported to the Senate; and

The treaty being in the Senate, and no Senator objecting, the amendments were taken in gross; and

On the question, Will the Senate concur in the amendments made in Committee of the Whole?

It was determined in the affirmative.

On motion by Mr. Morgan,

Ordered, That the pending treaty be printed, in confidence, in form as amended in the Senate; and that the same be printed, in confidence, and attached thereto, showing the several amendments agreed to.

On motion by Mr. Mills, at 1 o'clock and 43 minutes p. m.,
The Senate resumed the consideration of legislative business.

MONDAY, APRIL 19, 1897.

On motion by Mr. Davis,

The Senate resumed the consideration of the treaty (Executive D) between the United States and Great Britain for the arbitration of matters in difference between the two countries, signed at Washington, January 11, 1897.

The resolution of ratification of the treaty with amendments was again laid before the Senate.

Mr. Chandler raised a question as to the presence of a quorum; and The roll being called, forty-four Senators answered to their names. A quorum being present,

After a brief discussion on the treaty,

On motion by Mr. Hale, at 2 o'clock and 15 minutes p. m.,
The doors were opened; and
The Senate adjourned.

WEDNESDAY, MAY 5, 1897.

The Senate resumed the consideration of the treaty (Executive D) between the United States and Great Britain for the arbitration of

matters in difference between the two countries, signed at Washington, January 11, 1897; and

No further amendment being proposed thereto,

The resolution of ratification heretofore submitted by Mr. Davis was laid before the Senate, amended so as to embrace the amendments heretofore agreed to, and considered by the Senate as follows, to wit:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the treaty between the United States and Great Britain for the arbitration of matters in difference between the two countries, signed at Washington, January 11, 1897, with the following amendments:

In Article I, after "negotiation," insert; but no difference shall be submitted under this treaty which, in the judgment of either power, materially affects its honor, the integrity of its territory, or its foreign or domestic policy; nor shall the question be submitted whether any treaty, once existing, continue in force; nor shall any claim against any State of the United States, alleged to be due to the Government of Great Britain, or to any subject thereof, be a subject matter of arbitration under this treaty: Provided, That any agreement to submit, together with its formulations, shall, in every case, before it becomes final, be communicated by the President of the United States to the Senate with his approval, and be concurred in by two-thirds of the Senators present, and shall also be approved by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland.

In Article III strike out "each of the high contracting parties shall nominate one arbitrator, who shall be a jurist of repute, and the two arbitrators so nominated shall within two months of the date of their nomination select an umpire," and insert in lieu thereof each of the high contracting parties shall nominate in each case submitted two arbitrators, who shall be jurists of repute, and the two nominated by the President of the United States shall be appointed by and with the advice and consent of the Senate, and the four arbitrators shall, within two months from the date of their appointment, select an umpire.

Also in Article III strike out "in case they shall fail to agree upon an umpire within three months of the date of an application made to them in that behalf by the high contracting parties or either of them, the umpire shall be selected in the manner provided for in Article X."

Also in Article III, last paragraph thereof, strike out "person" and insert in lieu thereof umpire.

In Article V, first sentence thereof, before "tribunal," strike out "the" and insert in lieu thereof a.

In Article V, after "selected" and before "as follows," insert for each such case.

In Article V, after "viz," strike out "two by each of the high contracting parties and, one to act as umpire, by the four thus nominated and to be chosen within three months after the date of their nomination," and insert in lieu thereof two by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, two to be nominated by the President of the United States, and appointed by and with the advice and consent of the Senate, and one to act as umpire, to be chosen by the four thus nominated, within three months after the date of their nomination.

In Article V strike out "in case they shall fail to agree upon an umpire within three months of the date of an application made to them in that behalf by the high contracting parties or either of them, the umpire shall be selected in the manner provided for in Article X."

In Article V, last paragraph thereof, strike out "person" and insert in lieu thereof umpire.

In Article VI strike out "subject to the provisions of Article VIII" at both places at which it occurs.

In Article VI strike out "judges of the Supreme Court of the United States or justices of the circuit courts" and insert in lieu thereof jurists of repute.

In Article VI, after "nominated" and before the phrase "by the President of the United States," insert in each case.

In Article VI, after the phrase "by the President of the United States," insert and appointed by and with the advice and consent of the Senate.

In Article VII, second paragraph thereof, after "thereupon," strike out "it" and insert in lieu thereof any one of the arbitrators appointed by either of the high contracting parties.

Strike out all of Article VIII, which is as follows:

"ARTICLE VIII.

"In cases where the question involved is one which concerns a particular State or Territory of the United States, it shall be open to the President of the United States to appoint a judicial officer of such State or Territory to be one of the arbitrators under Article III or Article V or Article VI.

"In like manner in cases where the question involved is one which concerns a British colony or possession, it shall be open to Her Britannic Majesty to appoint a judicial officer of such colony or possession to be one of the arbitrators under Article III or Article V or Article VI."

Strike out all of Article X, which is as follows:

"ARTICLE X.

"If in any case the nominating bodies designated in Articles III and V shall fail to agree upon an umpire in accordance with the provisions of the said articles, the umpire shall be appointed by His Majesty the King of Sweden and Norway.

"Either of the high contracting parties, however, may at any time give notice to the other that, by reason of material changes in conditions existing at the date of this treaty, it is of opinion that a substitute for His Majesty should be chosen either for all cases to arise under the treaty or for a particular specified case already arisen, and thereupon the high contracting parties shall at once proceed to agree upon such substitute to act either in all cases to arise under the treaty or in the particular case specified as may be indicated by said notice; *Provided, however,* That such notice shall have no effect upon an arbitration already begun by the constitution of an arbitral tribunal under Article III.

"The high contracting parties shall also at once proceed to nominate a substitute for His Majesty in the event that His Majesty shall at any time notify them of his desire to be relieved from the functions graciously accepted by him under this treaty either for all cases to arise thereunder or for any particular specified case already arisen."

After debate,

On the question to agree to the resolution,

It was determined in the negative,	{ Yeas-----	43
	{ Nays-----	26

On motion by Mr. Hawley,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allison, Bacon, Burrows, Caffery, Clay, Cullom, Davis, Deboe, Fairbanks, Faulkner, Foraker, Frye, Gallinger, Gear, Gray, Hale, Hanna, Hawley, Hoar, Lindsay, Lodge, McBride, McEnery, McMillan, Mitchell, Morrill, Nelson, Pasco, Perkins, Platt of Connecticut, Platt of New York, Pritchard, Proctor, Smith, Spooner, Thurston, Turpie, Vest, Walthall, Warren, Wellington, Wetmore, and Wilson.

Those who voted in the negative are,

Messrs. Baker, Bate, Butler, Carter, Cockrell, Daniel, Hansbrough, Harris of Kansas, Harris of Tennessee, Heitfeld, Jones of Arkansas, Jones of Nevada, Kyle, Martin, Mason, Mills, Morgan, Penrose, Pettigrew, Pettus, Quay, Rawlins, Roach, Shoup, Stewart, and White.

So, the resolution not having been concurred in by two-thirds of the Senators present,

It was

Resolved, That the Senate do not advise and consent to the ratification of the treaty between the United States and Great Britain for the arbitration of matters in difference between the two countries, signed at Washington January 11, 1897.

On motion by Mr. Allison, at 4 o'clock and 15 minutes p. m.,

The Senate resumed the consideration of legislative business.

TREATY WITH GREAT BRITAIN, 1897.

[Canadian boundary, Ex. H, 54th. 2d.]

TUESDAY, MAY 11, 1897.

On motion by Mr. Morgan,

Ordered, That the convention (Executive H) signed at Washington, January 30, 1897, between the United States and Great Britain, providing for the demarcation of the one hundred and forty-first meridian of west longitude, for the determination of the boundary between their respective possessions in North America, be recommitted to the Committee on Foreign Relations, together with the resolution of ratification thereof.

On motion by Mr. Frye, at 3 o'clock and 55 minutes p. m.,
The doors were opened; and
The Senate adjourned.

THURSDAY, JUNE 1, 1897.

Mr. Turpie, from the Committee on Foreign Relations, to whom was recommitted, May 11 last, the convention (Executive H of the Fifty-fourth Congress, second session) signed at Washington, January 30, 1897, between the United States and Great Britain, providing for the demarcation of the one hundred and forty-first meridian of west longitude, for the determination of the boundary between their respective possessions in North America, reported the same with amendments.

Ordered, That the convention, with the amendments reported, be printed, in confidence, for the use of the Senate.

MONDAY, FEBRUARY 28, 1898.

On motion by Mr. Turpie,

The Senate proceeded to consider the convention signed at Washington, January 30, 1897, between the United States and Great Britain, providing for the demarcation of the one hundred and forty-first meridian of west longitude for the determination of the boundary between their respective possessions in North America.

The convention was read the second time and considered as in Committee of the Whole; and

After debate,

On motion by Mr. Pettus, at 5 o'clock and 25 minutes p. m.,
The doors were opened; and
The Senate adjourned.

[Volume 32.]

WEDNESDAY, DECEMBER 6, 1899.

On motion by Mr. Davis,

The convention (Executive H of the Fifty-fourth Congress, second session), signed at Washington, January 30, 1897, between the United States and Great Britain, providing for the demarcation of the one hundred and forty-first meridian of west longitude, for the determination of the boundary between their respective possessions in North America, was laid before the Senate and read the first time in this Congress.

Ordered, That it be referred to the Committee on Foreign Relations.

HEARING FOR REPRESENTATIVES OF IRELAND AT PEACE
CONFERENCE.

L E T T E R

FROM

THE ACTING SECRETARY OF STATE,

**ADVISING THE SENATE THAT THE ATTENTION OF M. CLEMENCEAU,
PRESIDENT OF THE PEACE CONFERENCE, HAD BEEN INVITED TO
THE FULL TEXT OF THE SENATE RESOLUTION OF JUNE 6, 1919,
REQUESTING THE AMERICAN PEACE COMMISSION TO PROCURE A
HEARING FOR REPRESENTATIVES OF THE PEOPLE OF IRELAND.**

JUNE 20, 1919.—Referred to the Committee on Foreign Relations, and ordered to be
printed.

DEPARTMENT OF STATE,
Washington, June 20, 1919.

To the SENATE:

The undersigned, the Acting Secretary of State, in the absence of the President from the country, has the honor, referring to the resolution of the Senate of June 6, 1919, requesting the American Peace Commission at Paris to endeavor to procure for Messrs. Edward De Valera and Arthur Griffiths and Count George Noble Plunkett a hearing before the peace conference, to advise the Senate that, the contents of the resolution having been transmitted by cable on June 6, 1919, to the American Peace Commission, a telegram, dated June 17, 1919, has been received from the American Peace Commission stating that the full text of the resolution has been forwarded to M. Clemenceau, president of the peace conference, and that his attention has been particularly invited to the request of the Senate that the American Peace Commission endeavor to procure for Messrs. De Valera and Griffiths and Count Plunkett a hearing before the conference.

FRANK L. POLK.

DEPARTMENT OF STATE,
Washington, June 20, 1919.

LUMP-SUM INSTEAD OF ANNUITY PAYMENTS IN MILITARY INSURANCE.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

IN RESPONSE TO

SENATE RESOLUTION 88 INQUIRING WHETHER CONTRACTS HAVE BEEN APPROVED FOR THE PAYMENT OF WAR RISK INSURANCE IN LUMP SUMS INSTEAD OF ANNUITY PAYMENTS IN GOVERNMENT INSURANCE.

JUNE 23, 1919.—Ordered to lie on the table and to be printed.

TREASURY DEPARTMENT,
Washington, D. C., June 21, 1919.

SIR: Allow me to acknowledge receipt of resolution passed by the Senate of the United States on the 20th instant, directing that I inform the Senate whether I have approved a contract or contracts for converting Government insurance held by men in the military forces of the United States under which beneficiaries may receive lump-sum payments instead of annuity payments extending over periods of 20 years.

I am pleased to inform you that I have not approved any contract of the nature referred to. The Director of the Bureau of War Risk Insurance considers it desirable to offer, if possible, under the converted form of insurance policies, the option either of payments in lump sum or payments to be completed within a period shorter than 20 years. His reason for taking such a position is that where men carry only \$1,000 or \$2,000 of converted insurance the amount of monthly payments over the period of 20 years would be exceedingly small.

In order that the question of the authority of the Treasury Department to fix terms and conditions for the proposed converted policies might be definitely determined, I have submitted to the Attor-

ney General of the United States, at the instance of the Director of the Bureau of War Risk Insurance, a request for a decision as to whether the bureau has, under existing law, the right to offer in its converted policies terms of payment other than those prescribed to be made each month extending over a period of 20 years. When I consented to submit this question for an opinion by the Attorney General I explicitly specified to the Director of the War Risk Bureau that I would not commit myself to the proposed policy even if the Attorney General should hold that the bureau had the suggested authority, and that I should desire, before making up my mind on the subject, to give it careful investigation and consideration.

My attention was called to a notice in a Washington paper in which the statement was made that I had approved such a change in the method of payment of converted policies as is suggested in the Senate resolution. I immediately had investigation instituted and have found that no authority for this statement came from either the Bureau of War Risk Insurance or from any official of the Treasury Department.

I may state also that as yet the Attorney General has not rendered an opinion as to the authority, under existing law, to make payments of converted policies in any manner other than the prescribed monthly payments extending over a period of 20 years.

Respectfully, yours,

CARTER GLASS, *Secretary.*

The PRESIDENT OF THE UNITED STATES SENATE.



BATTLE DEATHS IN THE GREAT WAR

ESTIMATE OF THE NUMBER OF MEN
OF THE PRINCIPAL NATIONS ENGAGED
IN THE GREAT WAR WHO WERE
KILLED IN BATTLE OR
DIED OF WOUNDS



PRESENTED BY MR. McCUMBER
JUNE 23, 1919.—Ordered to be printed

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

BATTLE DEATHS IN THE GREAT WAR.

Battle deaths during the war, principal nations engaged.

[Estimate of all troops killed in battle and died of wounds, based on official statements where made and in other cases on the best information available.]

Russia.....	1,700,000	Belgium.....	102,000
Germany.....	1,600,000	Roumania.....	100,000
France.....	1,385,300	Bulgaria.....	100,000
Great Britain.....	900,000	United States.....	49,000
Austria.....	800,000	Greece.....	7,000
Italy.....	462,000	Portugal.....	2,000
Turkey.....	250,000		
Serbia and Montenegro.....	125,000	Total.....	7,582,300

Warships destroyed during the war.¹

Country.	Enemy action.		Marine risk. ²		Total.	
	Number of ships.	Displacement.	Number of ships.	Displacement.	Number of ships.	Displacement.
England.....	169	702,481	80	151,030	249	853,511
France.....	46	180,832	13	4,243	59	185,075
Russia.....	25	66,580	21	62,275	46	128,855
Japan.....	6	60,910	3	4,455	9	65,365
Italy.....	17	29,285	14	60,316	31	89,601
United States.....	5	38,360	4	2,950	9	41,310
Greece.....	1	350			1	350
Total, allies.....	269	1,078,798	135	285,269	404	1,364,067
Germany.....	128	382,905	9	12,972	137	395,877
Austria.....	38	56,071	4	1,100	42	57,171
Turkey.....	24	33,103	13	31,907	37	65,010
Total, enemy.....	190	472,079	26	45,979	216	518,058
Grand total.....	459	1,550,877	161	331,248	620	1,882,125

¹ Information secured from the Navy. Displacement figures are partially estimated, since data were not available. Data are not yet available in summarized form for a complete statement, particularly of enemy losses.

² Includes losses, cause of which is unknown, probably enemy action.

³ Does not include losses of submarines.

Estimated gross tonnage of seagoing merchant vessels lost Aug. 1, 1914 to Nov. 11, 1918.

Countries.	Enemy action.	Marine risk.	Total.
Allies and neutrals:			
United States.....	394,658	430,759	825,417
Great Britain.....	7,756,659	1,143,000	8,899,659
Norway.....	1,177,001		
Italy.....	846,333		
France.....	888,783		
Denmark.....	240,860		
Sweden.....	200,829		
Greece.....	345,516		
Russia.....	182,933		
Holland.....	203,190		
Spain.....	167,865		
Portugal.....	93,136	710,285	5,302,642
Belgium.....	83,819		
Japan.....	120,176		
Brazil.....	25,464		
Argentina.....	4,275		
Uruguay.....	6,027		
Peru.....	1,419		
Roumania.....	3,973		
Persia.....	768		
Total, allies.....	12,743,674	2,284,044	15,027,718
Enemy countries:			
Germany.....	187,340	86,265	273,605
Austria.....	15,166	20,433	35,599
Total, enemy.....	202,506	106,698	309,204
Grand total.....	12,946,180	2,390,742	15,336,922

To find deadweight tonnage multiply these figures by 1½.

BATTLE DEATHS IN THE GREAT WAR.

COST OF WAR TO DIFFERENT NATIONS.

Present information in regard to expenditures of the various nations is not consistent, but the following figures may be taken as giving the limits within which correct figures will fall. The first column gives the total cost of conducting the war up to April 30, 1919, excluding the normal expenses of the Government and amounts loaned to Allies. The second column gives an approximate figure for amount raised by taxation beyond normal, where available. The third column gives increase of debt during the war. The fourth column gives the total of loans to Allies. All figures are in billions of dollars, as of April 30.

	Total war cost.	Taxes.	Increase in debt during war.	Loans to allies.
Great Britain and colonies.....	36-40	7-9	35-38	7
France.....	24-28	3-4	23-25	2
United States.....	22	7	24	9
Russia.....	18-20			
Italy.....	12-14	1.5-2	10-12	
Belgium.....	5-7			
Roumania.....				
Portugal.....				
Jugo-Slavia.....				
Japan and Greece.....	1			
Germany.....	37-39		38-40	2-3
Austria-Hungary.....	20-23			
Turkey and Bulgaria.....	2-3			
Total.....	180-195			

AMOUNT OF DAMAGES TO PROPERTY OF CIVILIANS DESTROYED OR CAPTURED.

Figures for the nonmilitary property damage are now being compiled and those available are subject to revision. It is believed that the following are substantially correct. Figures for countries other than the four mentioned are somewhat uncertain, and with the possible exception of Poland, considerably smaller.

France.....	\$10,000,000,000
British Empire (mostly shipping).....	4,580,000,000
Belgium.....	4,740,000,000
Italy.....	2,710,000,000



JEWISH PERSECUTIONS IN POLAND, ROUMANIA AND
GALICIA.

L E T T E R

FROM

THE ACTING SECRETARY OF STATE

IN RESPONSE TO SENATE RESOLUTION NO. 40, DATED MAY 26, 1919, STATING THE ACTION TAKEN BY THE STATE DEPARTMENT BEFORE AND IN PURSUANCE OF THE RESOLUTION IN THE MATTER OF REPORTED PERSECUTIONS OF JEWS IN POLAND, ROUMANIA, AND GALICIA.

JUNE 23 (calendar day, JUNE 27), 1919.—Referred to the Committee on Foreign Relations and ordered to be printed.

To the Senate of the United States:

In response to the resolution of the Senate bearing date May 26, 1919, and reading as follows:

Whereas it is reported that innocent men, women, and children, particularly of the Jewish faith, are being outraged and massacred in Poland, Roumania, and Galicia: Therefore be it

Resolved, That the Department of State be, and hereby is, directed to communicate such reports to the President of the United States, and request that he confer with the representatives at the peace conference of the countries where such outrages and massacres are reported to occur, and inform them that this body and the American people generally deeply deplore acts of violence and cruelty committed against men, women, and children because of race or religion,

the undersigned, the Acting Secretary of State, in the absence of the President and Secretary of State from the country has the honor to make the following statement: Prior to the passage of the resolution of the Senate on April 25 last, the department had instructed the American minister to Poland, who was then in Paris, to make investigation on his arrival in Poland of the truth of a report that on April 5 last, certain Jews were massacred by the Poles at Pinsk while the passover bread was being distributed.

Subsequently thereto and prior to the passage of the resolution other instructions were sent by telegraph to Mr. Gibson, the American minister at Warsaw, to make investigation regarding other reports

that had been received of massacres of Jews in Poland, and subsequently to the passage of the resolution further telegraphic instructions have been sent.

The minister was instructed to associate with himself two commissioners in the investigation of the charges which had been made and of the reports which had been received.

The department suggested the appointment by the minister, as members of his commission, of Dr. Boris Bogen, in charge of the Polish work of the Jewish Joint Distribution Committee, and Lieut. Col. Walter C. Bailey, director for Poland of the American Red Cross, and they were appointed and acted with him.

The Department of State has also, in pursuance of the directing terms of the resolution, communicated it to the President and has been instructed by him to inform the Senate what steps are being taken to have the reports investigated. The President has further given some thought to the advisability of sending another commission to Poland, which matter will probably be definitely decided after Mr. Gibson has had an opportunity of discussing the subject at Paris.

Both prior to the passage of the resolution and subsequently thereto the American minister at Bucharest was instructed by the department to investigate carefully the Jewish situation in Roumania and to report promptly.

Respectfully submitted.

FRANK L. POLK.

DEPARTMENT OF STATE,
Washington, June 26, 1919.

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INFORMATION CONCERNING WILLIAM T. ELLIS, CORRESPONDENT.

LETTER

FROM

THE ACTING SECRETARY OF STATE,

GIVING

INFORMATION REQUESTED BY SENATE RESOLUTION NO. 82 OF JUNE 17, 1919, CONCERNING THE ALLEGED RESTRAINT OF WILLIAM T. ELLIS, CORRESPONDENT OF THE NEW YORK HERALD, BY THE BRITISH AUTHORITIES IN EGYPT.

JUNE 23 (calendar day, JUNE 27), 1919.—Referred to the Committee on Foreign Relations and ordered to be printed.

To the Senate:

The undersigned, the Acting Secretary of State, in the absence of the President from the country, has the honor to make the following statement in response to Senate resolution 82, of June 17, 1919, requesting information concerning William T. Ellis, American correspondent of the New York Herald, while in Egypt.

The case of Mr. William T. Ellis was brought to the attention of the Department of State by a communication from the Office of the Director of Military Intelligence, giving the following information:

1. On April 6, 1919, our military attaché at Cairo, Egypt, advised us that William T. Ellis and his son, representing the New York Herald, had arrived recently in Cairo, both wearing the regulation American uniform complete with regulation buttons, letters U. S. on the collar, cap device, and Sam Browne belts. He stated that he asked if it was proper that correspondents wear this uniform, and stated further that if it is proper for them to wear that uniform he considers it extremely unfortunate that they have appeared in Cairo just now as, whenever nationalist disturbances are occurring, the Ellises are making themselves most conspicuous, and that the idea is furthered in the minds of the Egyptians that the United States is interested in their movement for independence, due to the fact that Ellis favors them to a certain degree and, in uniform, receives some of their leaders. The military attaché states that the American diplomatic agent is thoroughly in accord with his ideas, as the military attaché has taken the matter up with him.

2. Replying to this cable from the military attaché he was instructed as follows:

"Re your 168, April 6, Special Regulation 102, September 10, 1918, 'every correspondent shall provide himself with olive-drab garb for the field period. He shall wear no accouterments not of a neutral tint. He shall be supplied with a white arm band 2½ inches in width, bearing the letter C in red to be worn in the left arm.' No record Washington that William T. Ellis and son accredited correspondents. Advise them discontinue use uniform at once, and if they do not comply ask British authorities for appropriate action."

3. This office also informed the Chief Military Intelligence with the American Expeditionary Forces in France of the facts set forth in paragraphs 1 and 2 above. Upon April 21, the military attaché, Cairo, cabled us as follows:

[No. 181.]

"APRIL 21.

"Ellis (see my cable No. 168) on the night of April 18 attended a meeting of the nationalists at the center of all the present sedition, El Azhar University, where he received a great ovation after addressing the meeting. The nationalists regard his presence as a sign of sympathy for their movement on the part of the United States. The above has been transmitted to Warburton.

"BREWSTER."

Upon April 27, 1919, he cabled us as follows:

[No. 186.]

"APRIL 27—8 P. M.

"Ellis's actions in Cairo have become so objectionable that on April 22 the high commissioner was obliged to write a letter of complaint to the diplomatic agent."

"I have had Ellis and his son remove all insignia from their uniforms."

"For your information, Ellis is sending to-day a very objectionable cable direct to the Secretary of War, requesting permission to wear all insignia again and objecting to my action."

In view of this information, on May 6, 1919, the Department of State telegraphed to the American agency at Cairo the following instruction:

Do not amend passports William T. Ellis and son without department's express authorization. Obtain passports and strike out India. Also strike out Turkey if it is included.

By telegram of May 17 the agency at Cairo reported to the Department of State that in compliance with the above instruction, the passports of Mr. Ellis and his son had been changed so as to eliminate India, and by dispatch of May 19 the Department of State was informed that Mr. Ellis desired that it revoke its decision in the matter of viséing his passport for Turkey.

By telegram of May 24, from the American agency at Cairo the Department of State was advised that the military authorities of the British intelligence department at Cairo had that day informed the American agency that "Mr. W. T. Ellis submitted to the censor a series of articles which contained a considerable amount of censurable matter but which were allowed to be transmitted uncensored. Mr. Ellis transmitted, by registered post at Suez, duplicates of these articles. The envelope containing these duplicates was indorsed in Mr. Ellis's handwriting: 'From C. P. Russell, Assiout, Egypt.' That apparently Mr. Ellis, knowing the original articles submitted to the censor were censurable, attempted to evade the censorship by mailing duplicates from Suez in disguised envelope. No action against Mr. Ellis for this breach of faith is contemplated, but I think that the American authorities should be informed of this action."

On May 29, the Department of State instructed the American agency at Cairo, by telegraph, not to amend Ellis's passports for

British colonies, unless British authorities consented to his going there.

On June 5, the American agency at Cairo reported to the Department of State that the military authorities now state that they have no objection to Mr. William T. Ellis proceeding to Palestine, Syria, or Constantinople, but they were not willing to permit him to visit Mesopotamia or India.

By telegram from the agency at Cairo, dated June 10, 1919, the Department of State was advised that Mr. Ellis and his son had left the day previous for Constantinople.

Respectfully submitted,

FRANK L. POLK.

DEPARTMENT OF STATE,
Washington, June 25, 1919.

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INFORMATION CONCERNING WILLIAM T. ELLIS,
CORRESPONDENT.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING,

IN RESPONSE TO SENATE RESOLUTION OF JUNE 17, 1919, SUPPLEMENTARY INFORMATION REGARDING THE DETENTION OF MR. WILLIAM T. ELLIS, AMERICAN CORRESPONDENT AT CAIRO, EGYPT.

DECEMBER 16 (calendar day, DECEMBER 19), 1919.—Read, referred to the Committee on Foreign Relations, and ordered to be printed.

To the Senate:

In further response to Senate resolution 82, adopted by the Senate on June 17, 1919, requesting the Secretary of State to furnish information regarding the detention of Mr. William T. Ellis, American correspondent of the New York Herald, at Cairo, Egypt, I transmit herewith a supplementary statement containing information on the subject requested in the resolution.

WOODROW WILSON.

THE WHITE HOUSE, 18 December, 1919.

REPORT TO THE PRESIDENT ON THE DETENTION OF WILLIAM T. ELLIS AT
CAIRO, EGYPT.

With reference to Senate resolution 82, of June 17, 1919, requesting information concerning Mr. William T. Ellis, American correspondent of the New York Herald, while in Egypt, and the reply of the Department of State, dated June 25, 1919, the undersigned, Secretary of State, has the honor to make the following supplementary statement.

An exhaustive examination of the facts of this case shows that Mr. Ellis was not detained in Cairo and was always at liberty to depart for any valid destination other than the Ottoman Empire, Mesopo-

tamia, or India. As the Senate already has been informed, the Department of State instructed the American Agency at Cairo not to amend the passports of William T. Ellis and son without the express authorization of the department, and to cancel their validity in India and Turkey, if included. There is nothing to indicate that American consular officers in Cairo acted otherwise than to carry out the instructions issued by the department. Mr. Ellis and his son had already left Cairo when the department's instructions were received and this necessitated his return to the city in order that the corrections could be made on the passports.

The action of the department was founded upon the reports relating to the alleged activities of Mr. Ellis in Cairo, which were quoted in the response of the department to the Senate's inquiry. The American diplomatic agent at Cairo telegraphed the department on April 29, 1919, that Mr. Ellis denied categorically that he made a speech at the meeting at El Azhar, referred to in the message of the military attaché dated April 21, 1919. It is regretted that this denial was not included in the department's previous communication to the Senate. Recently the department has been told by an American who accompanied Mr. Ellis that they attended the meeting under a solemn promise that no demonstration would be made, but that attention was focused on them and the speaker cleverly endeavored to obtain some sign of approval from Mr. Ellis. The department is told that Mr. Ellis confined any remarks he may have made to showing his disapproval of the attention being drawn to him.

As regards the issue with the military attaché concerning certain clearly military concerns, such as the use of the Regular Army uniform and credentials from the War Department, the Department of State has received a letter from the Secretary of War, dated October 10, 1919, from which the following statement is taken:

Mr. Ellis has called on me and submitted to me a copy of the letter given him by Lieut. Conger Reynolds, press officer at Paris, on the 11th day of January, 1919, upon the basis of which Mr. Ellis believed himself authorized to wear in Egypt the uniform prescribed for authorized correspondents of the newspapers attached to the American Expeditionary Forces in France and moving within the zone of its operations.

The letter given Mr. Ellis by Lieut. Reynolds recites the fact that Mr. Ellis has frequently enjoyed the privileges accorded by the American Expeditionary Forces to correspondents, and has shown himself fully worthy of complete confidence. It is addressed "To whom it may concern." It seems quite clear from the reading of this letter that Mr. Ellis assumed it to be credentials to himself as an accredited correspondent outside of the zone of operations of the American Expeditionary Forces, and as the wearing of the uniform by such correspondents was a more or less general practice he inferred that he had the right to wear the uniform he did wear. Those charged with responsibility for the press bureau and the military intelligence work of the American Expeditionary Forces did not intend the letter to have the effect suggested, and do not now construe the letter as authorizing the wearing of the uniform.

Apparently the major part of the trouble caused Mr. Ellis in Egypt arose out of this circumstance, which seems to be a misunderstanding, and not to call for criticism either of Mr. Ellis or those who took an opposite view of the situation.

It appears that the War Department does not regard Mr. Ellis as willfully having violated any regulation or propriety of a military character, and regrets that his misunderstanding of the letter given him led to the embarrassment which attended his stay in Egypt.

I am pleased to bring the above denial of Mr. Ellis concerning his activities in Cairo and the expressions of the Secretary of War to your attention in order to clear up any misunderstanding which may

exist to the end that no injustice may be done Mr. Ellis. A copy of my letter to Mr. Ellis of to-day's date is inclosed for your information.

Respectfully submitted.

ROBERT LANSING.

DEPARTMENT OF STATE,

Washington, December 16, 1919.

DECEMBER 16, 1919.

SIR: The grievances set forth in your letter of August 22, 1919, have received careful consideration, with a desire to clear up any misunderstanding which may exist, to the end that no injustice may be done you.

The purpose of your visit to Cairo and the reasons which compelled you to remain are fully appreciated, and it is not considered that it was your intention to embarrass the Government. Your action, however, in attending the meeting at El Azhar would seem to have been ill-advised, especially as you wore a uniform which imparted a touch of authority and gave you a representative character in the eyes of the natives.

As regards the speech which you are alleged to have made at El Azhar University, it is regretted that your denial, which was cabled by the American diplomatic agent at Cairo on April 29, 1919, was not included in the response of the department to the inquiry from the Senate. This error has been rectified in a report to the President of to-day's date with the further information that an American who accompanied you at this meeting assures the department that any remarks which you addressed to a restricted circle of listeners were confined to showing your disapproval of the attention being drawn to you by the speaker.

There has also been transmitted to the President a statement from the Secretary of War with reference to certain purely military concerns, which it is hoped will correct any impression that you willfully violated the military regulations. It is unfortunate that the animosity which apparently existed between you and the military attaché caused you to use such language as you have used in referring to American officials in Cairo.

As you are well aware, you were not detained in Cairo as you were at liberty to depart for any destination for which your passport was valid. Unfortunately you had left Cairo when the instructions, to cancel the validity of your passport for India and Turkey and which necessitated your return, were received at the agency. It appears that you remained in Cairo voluntarily until your passports were again amended to enable you to travel in Palestine, Syria, and Constantinople.

It scarcely seems necessary to discuss the question of your attempt to evade the censorship inasmuch as you wrote an article in the New York Herald in which you stated that you had evaded the censor and felt that you had a perfect right to do so.

It would also seem that the agency granted you all reasonable facilities for the transmission of messages and only refused to accede to your requests when telegrams contained injudicious references to

officials of the Government and matters of policy. The agency not only reported promptly its refusal to comply with your request but in fact transmitted your protest of May 23, 1919, against the decision adopted by the agency. In the circumstances the department considers that there is no ground for complaint.

You must realize that the department does not desire at any time either to cause Americans inconvenience or that its representatives abroad should interfere with any rights which they might enjoy, and further that the issuance to Americans of passports valid for certain countries lies within the authority of the Secretary of State in his discretion. It seemed best to limit the validity of your passport to certain countries and the fact that you were caused certain inconvenience in having the amendments made upon your passport is a matter of regret to the department.

I am, sir,

Your obedient servant,

ROBERT LANSING.

Mr. WILLIAM T. ELLIS,
Swarthmore, Pa.

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66TH CONGRESS }
1st Session

SENATE

{ DOCUMENT
No. 48

REPORT OF THE Public Buildings Commission



PRESENTED BY MR. SMOOT

JULY 8, 1919.—Ordered to be printed

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

REPORT OF THE PUBLIC BUILDINGS COMMISSION.

DEPARTMENT OF AGRICULTURE.

Space allotted.—The following space is hereby allotted to the Department of Agriculture, to be effective when the space is available and is occupied by your department:

(a) All space occupied on June 1 by the Department of Agriculture in rented and Government-owned buildings, except 224 Twelfth Street; 215 Twelfth Street; 217 Twelfth Street; Bank of Commerce Building, Seventh and E Streets; Legal Building, Eighth and G Streets; 1120 Virginia Avenue SW.; 224 Fourteenth Street.

(b) Council of National Defense Building, as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, wings Nos. 2 and 4, with portion of head house; second floor, wings Nos. 1, 2, and 3, with portion of head house.

Vacate.—The Department of Agriculture will vacate the buildings listed in (a) above immediately after the space in (b) becomes vacant.

THE ALIEN PROPERTY CUSTODIAN.

Space allotted.—The following space is hereby allotted to the Alien Property Custodian, to be effective when the space is available and is occupied by your department: All space occupied on June 1 by the Alien Property Custodian in rented and Government-owned buildings, except 1728 N Street, which should be vacated immediately.

DEPARTMENT OF COMMERCE.

Space allotted.—The following space is hereby allotted to the Department of Commerce, to be effective when the space is available and is occupied by your department:

(a) All space occupied on June 1 by the Department of Commerce in rented and Government-owned buildings except in the Council of National Defense Building. In the latter building there is hereby allotted the space as shown on plan of building on file in the office of the commission and approximately described as follows: Second floor, wing No. 4, and portion of head house.

(b) In building D as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, wings 1, 2, 3, 7, and 8; second floor, wings 6 and 7, and portion of head house; third floor, wings 5, 6, 7, and 8, and portion of head house. This space will be given up by the War Department as demanded and needed for occupancy by Commerce Department.

Vacate.—The Department of Commerce will at once vacate all space which is now occupied and not allotted above.

THE COMMITTEE ON PUBLIC INFORMATION.

Space allotted.—The following space is hereby allotted to the Committee on Public Information: The space in Fuel Building No. 3 as shown on plan of building on file in the office of the commission and approximately described as follows: Second floor, wing 10, and portion of head house.

Vacate.—The Committee on Public Information will vacate the space now occupied in 8 Jackson Place, immediately after the space allotted above is vacated by the Fuel Administration.

THE COUNCIL OF NATIONAL DEFENSE.

Space allotted.—The following space is hereby allotted to the Council of National Defense: In the Council of National Defense Building as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, wing 6, and portion of head house; wing 3; second floor, wing 6 and portion of head house.

Vacate.—The Council of National Defense will immediately vacate all space now occupied which is not allotted above.

THE FOOD ADMINISTRATION.

Space allotted.—The following space is hereby allotted to the Food Administration: In the Food Administration Building, No. 1, as shown on plan of building on file in the office of the commission, and approximately described as follows: First floor, wings 4, 5, 6, 7, and portion of head house; second floor, portion of head house, and certain other rooms.

Vacate.—The Food Administration will immediately vacate all space now occupied which is not allotted above.

THE FUEL ADMINISTRATION.

Space allotted.—The following space is hereby allotted to the Fuel Administration: In the Fuel Building, No. 3, as shown on plan of buildings on file in the office of the commission, and approximately described as follows: First floor, wings 1, 2, 3, and portion of head house; second floor, wings 8 and 9, and portion of head house.

Vacate.—The Fuel Administration will immediately vacate all space now occupied which is not allotted above.

THE FEDERAL TRADE COMMISSION.

Space allotted.—The following space is hereby allotted to the Federal Trade Commission: In Fuel Building, No. 3, as shown on plan of building on file in the office of the commission, and approximately described as follows: First floor, half of wing 4; all of wings 5, 6, and 7, and portion of head house; second floor, wings 11, 12, 13, and 14, and portion of head house.

Vacate.—The Federal Trade Commission will vacate all space now occupied which is not allotted above. It is understood that the space allotted above is the only space now occupied by the commission.

FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Space allotted.—The following space is hereby allotted to the Federal Board for Vocational Education: Senate Annex, Baltic Building, Bliss Building.

GOVERNMENT PRINTING OFFICE.

Space allotted.—The following space is hereby allotted to the Government Printing Office: All space occupied on June 1 by the Government Printing Office in rented and Government-owned buildings.

INTERIOR DEPARTMENT.

Space allotted.—The following space is hereby allotted to the Interior Department:

New Interior Building, all except 85,000 square feet of net contiguous office space to be selected by the Secretary of Interior and turned over to the Treasury Department immediately.

Pension Building, entire.

Old Land Office Building, as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, west half.

Patent Office, entire.

Civil Service Building, 1724 F Street, entire.

Century Building, space now occupied therein.

Emery Building, space now occupied therein.

Old Central High School, space now occupied therein.

Vacate.—The Interior Department will immediately vacate all space now occupied which is not allotted to the department above.

THE INTERSTATE COMMERCE COMMISSION. /

Space allotted.—The following space is hereby allotted to the Interstate Commerce Commission: All space occupied on June 1 by the Interstate Commerce Commission in rented and Government-owned buildings.

THE INTERNATIONAL JOINT COMMISSION.

Space allotted.—The following space is hereby allotted to the International Joint Commission: All space occupied on June 1 by the International Joint Commission in rented and Government-owned buildings.

THE INTERNATIONAL BOUNDARY COMMISSION.

Space allotted.—The following space is hereby allotted to the International Boundary Commission: All space occupied on June 1 by the International Boundary Commission in rented and Government-owned buildings.

THE DEPARTMENT OF JUSTICE.

Space allotted.—The following space is hereby allotted to the Department of Justice: All space occupied on June 1 by the Department of Justice in rented and Government-owned buildings.

DEPARTMENT OF LABOR.

Space allotted.—The following space is hereby allotted to the Department of Labor: Food Building, No. 2, entire, except one room at main entrance, as shown on plan of building on file in the office of the commission, and the Labor Building, 1712 G Street, entire building.

Vacate.—The Department of Labor will vacate immediately all space now occupied which is not allotted above.

NAVY DEPARTMENT.

Space allotted.—The following space is hereby allotted to the Navy Department: New Navy Building, Seventeenth and B Streets NW., all except 6,000 feet of contiguous office space to be selected by the Secretary of the Navy and turned over to the Treasury Department for use of the Public Health Service; State, War, and Navy Building, space now occupied therein, except the Navy library room.

Vacate. The Navy Department will vacate immediately all space now occupied (including the entire Corcoran Courts) which is not allotted to the department above.

PANAMA CANAL OFFICE.

Space allotted.—The following space is hereby allotted to the Panama Canal Office: All space occupied on June 1 by the Panama Canal Office in rented and Government-owned buildings.

POST OFFICE DEPARTMENT.

Space allotted.—The following space is hereby allotted to the Post Office Department: All space now occupied by the department in Government-owned buildings.

RAILROAD ADMINISTRATION.

Space allotted.—The following space is hereby allotted to the Railroad Administration: All space occupied on June 1 by the United States Railroad Administration in rented and Government-owned buildings.

STATE DEPARTMENT.

Space allotted.—The following space is hereby allotted to the State Department: State, War, and Navy Building, all space now occupied therein, plus space occupied by Navy Library; Sanda Court, all space now occupied therein.

SHIPPING BOARD AND EMERGENCY FLEET CORPORATION.

Space allotted.—The following space is hereby allotted to the Shipping Board and Emergency Fleet Corporation: In C building, as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, front of wing 3, all of wings 4 and 5, and portion of head house; second floor, rear of wing 2, all of wings 3, 4, 5, 6, and portion of head house; third floor, all of wings 3, 5, and 6, and portion of head house.

Vacate.—The Shipping Board and Emergency Fleet Corporation will vacate all rented space in Washington immediately after build-

ing C becomes available. No rented space will be assigned in Washington to the Emergency Fleet Corporation. As the War Department reduces, more space may be later assigned in C building to the full capacity of the building of 290,940 square feet net.

TREASURY DEPARTMENT.

Space allotted.—The following space is hereby allotted to the Treasury Department:

All space in rented and Government-owned buildings now occupied by you except upper three floors old Emergency Hospital, Fifteenth Street and Ohio Avenue.

Six thousand square feet of contiguous office space in the new Navy Building, Seventeenth and B Streets, NW., said space to be in a location to be selected by the Secretary of the Navy.

Eighty-five thousand square feet of contiguous net office space in the new Interior Building, said space to be in a location to be selected by the Secretary of the Interior.

In building A approximately as follows: First floor, wings 3, 5, and 6, with portion of head house; second floor, wings 2, 3, 4, 5, and 6, with portion of head house; third floor, wings 3, 4, 5, and 6, with portion of head house.

Vacate.—The Emergency Hospital will be vacated in such a way as to least inconvenience the Public Health Service.

UNITED STATES BUREAU OF EFFICIENCY.

Space allotted.—The following space is hereby allotted to the United States Board of Efficiency: All space occupied on June 1 by the United States Bureau of Efficiency in rented and Government-owned buildings.

UNITED STATES COURT OF CLAIMS.

Space allotted.—The following space is hereby allotted to the United States Court of Claims: All space occupied on June 1 by the United States Court of Claims in rented and Government-owned buildings.

UNITED STATES COURT OF CUSTOMS APPEALS.

Space allotted.—The following space is hereby allotted to the United States Court of Customs Appeals: All space occupied on June 1 by the United States Court of Customs Appeals in rented and Government-owned buildings.

UNITED STATES BOARD OF CONCILIATION AND MEDIATION.

Space allotted.—The following space is hereby allotted to the United States Board of Conciliation and Mediation: All space occupied on June 1 by the United States Board of Conciliation and Mediation in rented and Government-owned buildings.

UNITED STATES TARIFF COMMISSION.

Space allotted.—The following space is hereby allotted to the United States Tariff Commission: All space occupied on June 1 by the United States Tariff Commission in rented and Government-owned buildings.

UNITED STATES EMPLOYEES' COMPENSATION COMMISSION.

Space allotted.—The following space is hereby allotted to the United States Employees' Compensation Commission: In the Council of National Defense Building, as shown on plan of building on file in the office of the commission and approximately described as follows: First floor—Wing No. 1 and portion of head house.

Vacate.—The United States Employees' Compensation Commission will vacate the Union Trust Building immediately as soon as the above space in the Council of National Defense Building is available.

WAR DEPARTMENT.

Space allotted.—The following space is hereby allotted to the War Department:

State, War, and Navy Building, 166,168 square feet, as now located.

Munitions Building, space now occupied therein.

Building "A," as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, wings 1, 2, and 4, with portion of head house; second floor, wing No. 1, with portion of head house; third floor, wings 1 and 2, with portion of head house.

Building "B," space now occupied therein.

Building "C," as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, wings 1 and 2, rear of 3, front of 6, and portion of head house; second floor, wing 1, front portion of 2, and portion of head house; third floor, wings 1 and 2 and portion of head house.

Building "D," as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, wings 4, 5, and 6 and entire head house; second floor, wings 1, 2, 3, 4, and 5 and portion of head house; third floor, wings 1, 2, 3, and 4 and portion of head house.

Building "E," space now occupied therein.

Building "F," space now occupied therein.

Ford Theater, entire.

War College, entire.

Medical Museum, entire.

Old Land Office as shown on plan of building on file in the office of the commission and approximately described as follows: All except east half of first floor.

Ordnance Annex, entire.

Quartermaster Building, all space now occupied therein.

War Trade Building as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, north half and west portion of south half; second floor, entire floor.

Ordnance Building, 1800 E Street, entire.

Archie Butt Building, entire.

Fuel Buildings Nos. 1 and 2 (War Industries Annex), entire.

Pettus Building, entire.

Corcoran Courts, entire.

Lemon Building, entire.

Knickerbocker Building, space now occupied therein.

Food No. 1, as shown on plan of building on file in the office of the commission, and approximately described as follows: First floor, wing 3; second floor, all space now occupied therein, plus certain rooms.

Council of National Defense Building, second floor, wing 5.

Vacate.—The War Department will vacate at once all space now held in the following buildings, which is not allotted above: Ford Building; garage at Twenty-fourth and M Streets; Mills Building; "A" Building (to be vacated immediately); "C" Building; "D" Building (to be vacated as demanded by Department of Commerce).

THE WAR TRADE BOARD.

Space allotted.—The following space is hereby allotted to the War Trade Board: The four wings in the southeast corner of the first floor of the War Trade Board Building.

WAR INDUSTRIES BOARD.

Space allotted.—The following space is hereby allotted to the War Industries Board: Council of National Defense Building, first floor, wing 5.

THE INTERDEPARTMENTAL SOCIAL HYGIENE BOARD.

Space allotted.—The following space is hereby allotted to the Interdepartmental Social Hygiene Board: All space occupied on June 1 by the Interdepartmental Social Hygiene Board in rented and Government-owned buildings.

THE HOUSING CORPORATION.

Space allotted.—The following space is hereby allotted to the Housing Corporation: All space occupied on June 1 by the Housing Corporation in rented and Government-owned buildings.

JOINT CONGRESSIONAL COMMISSION ON RECLASSIFICATION OF SALARIES.

Space allotted.—The following space is hereby allotted to the Joint Congressional Commission on Reclassification of Salaries: In D Building as shown on plan of building on file in the office of the commission and approximately described as follows: Second floor, eighth wing.

SUPERINTENDENT, STATE, WAR, AND NAVY BUILDING.

Space allotted.—The following space is hereby allotted to the Superintendent, State, War, and Navy Building:

(a) All corridors, halls, stairways, entrances, toilets, and lavatories in the following buildings, same to be under your absolute control and to be used under rules prescribed by you for the common benefit of the occupants of the building:

State, War, and Navy Building, Seventeenth Street and Pennsylvania Avenue.

Walker-Johnson Building, 1734 New York Avenue.

Mall office buildings, known as buildings A, B, C, D, E, F, administration, mechanics, cafeteria, and heating plant, in the vicinity of Seventh and B Streets NW.

Potomac Park buildings, known as Navy and Munitions Buildings, on B Street NW., between Seventeenth and Twenty-first Streets.

War Trade Building, between B and C Streets, and Twentieth and Twenty-first Streets.

Food Administration Building No. 1, between Eighteenth and Nineteenth Street and C and D Streets NW.

Food Administration Building No. 2, between New York Avenue and D Street and Nineteenth and Twentieth Streets NW.

Council of National Defense Building on Eighteenth Street between C and D Streets NW.

Fuel Administration Buildings, Nos. 1 and 2, bounded by Virginia Avenue, Eighteenth, and C Streets NW.

Fuel Administration Building No. 3, on D Street, between Twentieth and Twenty-first Streets NW.

H. L. Pettus Building, on Nineteenth Street, between Virginia Avenue and D Street NW.

Archie Butt Building, 1725 New York Avenue NW.

Corcoran Court Building, on New York Avenue, between Seventeenth and Eighteenth Streets NW.

(b) All other space in the above buildings now occupied by you.

(c) All space now occupied by char and guard force in the temporary buildings north of B Street NW., and west of Seventeenth Street NW.; this allotment to be deducted from any space heretofore allotted to departments or independent offices occupying said buildings.

(d) Food Administration Building No. 1, as shown on the plan of building on file in the office of the commission and approximately described as follows: First floor, entire second wing and portion of head house.

Department.	Net rented space occupied June 1, 1919. ¹	Net rented space vacated. ¹	Annual rental being paid June 1, 1919.	Annual rental beginning July 1, 1919.	Net saving to the Government in rental charges.
Agriculture.....	465,557	32,980	\$190,910.00	\$173,930.00	\$16,980.00
Allen Property Custodian.....	44,527	3,582	31,200.00	30,000.00	1,200.00
Commerce.....	161,841	.....	66,900.00	66,900.00	.....
Committee on Public Information.....	5,130	5,130	3,000.00	.....	3,000.00
Federal Trade Commission.....	17,000	17,000	12,600.00	.....	12,600.00
Government Printing Office.....	27,073	27,073	4,793.76	.....	4,793.76
Housing Corporation.....	21,360	21,360	20,700.00	20,700.00	.....
Interior.....	113,931	7,038	39,875.00	29,875.00	10,000.00
Interstate Commerce Commission.....	162,600	.....	72,058.04	72,058.04	.....
International Joint Commission.....	1,500	.....	1,724.40	1,724.40	.....
International Boundary Commission.....	2,000	.....	2,040.00	2,040.00	.....
Justice.....	82,035	.....	36,000.00	36,000.00	.....
Labor.....	100,744	36,550	53,914.36	24,000.00	29,914.36
Panama Canal.....	15,448	.....	7,500.00	7,500.00	.....
Railroad Administration.....	95,006	.....	86,985.00	86,985.00	.....
State.....	11,520	11,520	5,000.00	.....	5,000.00
Shipping Board.....	133,975	133,975	210,105.56	.....	210,105.56
Court of Customs Appeals.....	9,500	.....	1,773.00	1,773.00	.....
United States Board of Conciliation and Mediation.....	2,113	.....	2,460.00	2,460.00	.....
United States Tariff Commission.....	10,343	.....	11,000.00	11,000.00	.....
United States Employees' Compensation Commission.....	4,031	4,031	3,600.00	.....	3,600.00
War.....	235,059	109,893	81,867.08	22,500.00	59,367.08
Zone Finance.....	37,000	.....	18,550.00	18,550.00	.....
Total.....	1,809,293	410,132	964,556.20	607,995.44	356,560.76

¹ "Net space" means the net amount available for the use of clerks, after deducting space occupied by halls, closets, stairways, and files.

WAR MATERIAL FOR IMPROVING HIGHWAYS.

LETTER
FROM
THE SECRETARY OF AGRICULTURE,

IN RESPONSE TO

**RESOLUTION 108 OF JULY 1, 1919, DIRECTING A REPORT OF THE
QUANTITY OF WAR SUPPLIES REQUIRED FOR IMPROVEMENT
OF HIGHWAYS AUTHORIZED TO BE DISTRIBUTED UNDER POST
OFFICE ACT FEBRUARY 28, 1919.**

JULY 21, 1919.—Ordered to lie on the table and to be printed.

DEPARTMENT OF AGRICULTURE.

To the SENATE:

Pursuant to Senate resolution 108, I have the honor to report as follows:

It is observed that the resolution directs the Secretary of Agriculture—

to report to the Senate the quantity and description of war material, equipment, and supplies, particularly the number and description of cars, trucks, and tractors, which will be required for the use and improvement of highways and which were authorized to be distributed among the highway departments of the several States to be used on the roads constructed in whole or in part by Federal aid as provided by section 7 of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes," approved February 28, 1919.

Highway construction and improvement under the original Federal aid road act approved July 11, 1916, as amended by the above-mentioned act approved February 28, 1919, covers a period of several years, and this department does not know what the final requirements of each State highway department will be. The Senate is, of course, aware that during the war highway construction moved slowly on account of shortage in labor and the control of building material for war purposes. It has only been recently that the several State highway departments have been able to begin active operations on their respective new program, which can not be compared in importance and size with the work which was done during any preceding year. The department regrets, therefore, that it can not state accurately what the final requirements of the respective State highway

departments will be and can only report to you what is being done by the department pursuant to section 7 of the above-mentioned act approved February 28, 1919, which is as follows:

"SEC. 7. That the Secretary of War be, and he is hereby, authorized in his discretion to transfer to the Secretary of Agriculture all available war material, equipment, and supplies not needed for the purposes of the War Department, but suitable for use in the improvement of highways, and that the same be distributed among the highway departments of the several States to be used on roads constructed in whole or in part by Federal aid, such distribution to be made upon a value basis of distribution the same as provided by the Federal aid road act approved July 11, 1918: *Provided*, That the Secretary of Agriculture, at his discretion, may reserve from such distribution not to exceed 10 per cent of such material, equipment, and supplies for use in the construction of national forest roads or other roads constructed under his direct supervision.

At the time section 7 above mentioned was enacted into law it was impossible for the Secretary of War immediately to determine what war material, equipment, and supplies would not be needed for the purposes of the War Department. However, the urgent requirements of the several State highway departments in the matter of beginning active work on their enlarged programs made it necessary to distribute as soon as possible such of the material, equipment, and supplies as it became available.

CANVASS OF STATES.

Immediately following the approval of the Post Office appropriation act, section 7, of which it is quoted above, this department ascertained from the War Department the general classes and character of the equipment and supplies "which might become" available for distribution to the States, following the determination by the War Department of the equipment and supplies no longer needed for the purposes of the War Department. In order to determine the amount of equipment and supplies that the States would need for the purposes of highway improvement, the following letter was sent under date of March 12 to each of the State highway departments:

GENTLEMEN: Referring to our letter of the 11th instant there is inclosed a list of materials and equipment, some of which it may be possible to obtain from the War Department.

In making your requests, it is advisable to have them in as much detail as possible. For example, should you request any steam shovels, motor trucks, tractors, trailers, dredges, concrete mixers, etc., please state such details as size, weight, capacity, etc.

LIST OF MATERIALS AND EQUIPMENT.

Machine tools, engineering and construction equipment:	Building material:
All metal and wood working tools.	Water supply.
Steam shovels.	Fabricated steel.
Hand tools.	Roofing.
Forging equipment.	Wall board.
Iron and structural workers' power tools and machinery.	Paints.
Contractors' equipment, such as dredges, ditchers, concrete mixers.	Hardware.
Industrial railways, etc.	Cement.
	Heating.
	Electrical equipment.
	Power plant.
	Machinery.

LIST OF MATERIALS AND EQUIPMENT—continued.

Truck and motor equipment:

Trucks.

Trailers, animal and hand-drawn vehicles.

General supplies:

Tentage, paulins.

Harness, saddlery.

Saddlers' supplies.

Shelf and heavy hardware.

Tools, handles, tool chests, containers.

General supplies—Continued.

Mess, camp, and kitchen equipment.

Brooms and brushes.

Hemp and jute products.

Remount:

Horses and mules.

Raw and scrap materials:

Explosives.

Ordnance and ordnance stores:

Tractors and trailers.

Caterpillars.

In response to this inquiry a number of the States submitted detailed statements and descriptions of the items they would need. Others took the position that they wished to receive their quota of any of the items contained in the above list which might be declared surplus by the War Department. In order to arrive at a more definite statement of the needs of the States, a second canvass relative to various items was made under each of the following dates: April 24, May 7, and June 10. These two canvasses have been further supplemented by a large number of communications to and from the State highway departments and by personal conferences with the executive officers of the State highway departments. Based on the information secured from these sources, this department believes that the following lists, classified under the several headings, set forth the needs of the States as accurately as they can be determined at the present time. At different times, as the Secretary of War found that certain war materials, equipment, and supplies were not needed for the purposes of the War Department, he has made allotments to this department for the purpose of distribution, covering, in general, items appearing on the above list. Such lists are now being received from the Secretary of War from time to time.

MOTOR TRUCKS AND MOTOR CARS.

The Secretary of War has on four different occasions declared in the aggregate of 24,000 motor trucks of all sizes and different makes to be available for distribution, and he has also declared 1,075 Ford touring cars and 550 used passenger cars of other makes likewise available. Of the 24,000 motor trucks, a total of 20,519 have been allotted among the several State highway departments, as shown by the list hereinafter set out, and the entire number of Ford and other used cars have been allotted, as shown by said list. Definite shipping instructions have been given the War Department for more than 13,500 of these trucks and cars. The allotment as shown by the said list is final.

	Trucks.				Fords, first.	Other autos, first.
	First.	Second.	Third.	Fourth.		
1. Alabama.....	116	50	86	180	21	11
2. Arizona.....	76	33	56	117	14	6
3. Arkansas.....	92	39	69	143	17	8
4. California.....	165	72	124	261	30	15
5. Colorado.....	97	41	71	149	17	9
6. Connecticut.....	34	14	25	51	6	4
7. Delaware.....	9	4	7	14	2	1
8. Florida.....	63	28	46	99	11	6
9. Georgia.....	146	66	110	231	27	4
10. Idaho.....	68	30	49	104	12	6
11. Illinois.....	240	105	178	375	44	22
12. Indiana.....	149	66	110	231	27	14
13. Iowa.....	158	70	117	250	29	15
14. Kansas.....	157	70	117	249	29	15
15. Kentucky.....	107	47	79	167	19	10
16. Louisiana.....	74	38	56	117	14	7
17. Maine.....	52	28	38	83	10	5
18. Maryland.....	48	22	36	75	9	4
19. Massachusetts.....	81	35	61	126	15	7
20. Michigan.....	159	70	117	250	29	15
21. Minnesota.....	156	68	116	244	26	14
22. Mississippi.....	98	42	73	153	18	9
23. Missouri.....	186	82	138	291	34	17
24. Montana.....	110	48	82	173	20	10
25. Nebraska.....	117	51	87	185	21	11
26. Nevada.....	72	30	62	111	13	7
27. New Hampshire.....	22	10	16	35	4	2
28. New Jersey.....	65	29	49	102	12	6
29. New Mexico.....	89	39	65	138	16	8
30. New York.....	273	119	202	427	50	25
31. North Carolina.....	127	55	93	195	23	12
32. North Dakota.....	86	38	63	132	15	8
33. Ohio.....	203	89	151	318	37	19
34. Oklahoma.....	127	55	95	199	23	12
35. Oregon.....	88	38	64	136	16	8
36. Pennsylvania.....	252	109	187	394	46	23
37. Rhode Island.....	13	5	9	21	2	1
38. South Carolina.....	79	34	59	124	14	8
39. South Dakota.....	90	39	66	138	16	9
40. Tennessee.....	123	54	92	193	22	11
41. Texas.....	321	141	237	500	58	30
42. Utah.....	64	28	46	99	11	6
43. Vermont.....	25	11	19	40	5	3
44. Virginia.....	108	47	81	170	20	10
45. Washington.....	81	34	59	124	14	7
46. West Virginia.....	58	26	43	90	11	5
47. Wisconsin.....	140	60	104	217	25	13
48. Wyoming.....	69	30	49	104	12	7
Forestry.....	26	-----	-----	92	32	-----
Public roads.....	66	42	44	354	75	55
Total.....	5,428	2,371	3,949	8,771	1,075	550

CONSTRUCTION AND OPERATING EQUIPMENT.

A request for construction and operating equipment, based on the estimated needs of the several States, was sent to the War Department. The Secretary of War in replying to the request stated that the War Department would deliver to the Department of Agriculture out of the surplus in the United States or France a sufficient amount of equipment to meet the estimate, which is as follows:

400 road rollers, steam and gas driven.
 700 concrete mixers.
 600 road graders.
 400 elevating graders.
 200 sprinkling wagons.
 200 road oilers.
 125 derricks, 30 to 60 foot boom.
 100 pile-driver outfits complete.
 200 complete air-drill outfits.
 250 steam pumps, up to 4 inches.

150 centrifugal pumps up to 4 inches,
 with power.
 75 diaphragm pumps gasoline driven.
 500 rock-crushing outfits complete, ca-
 pacity 125 tons to 200 tons per day.
 200 clamshell, orange peel, and bot-
 tom-dump buckets.
 125 road scarifiers.
 50 caterpillar and drag-line excava-
 tors.

700 road and railroad plows.
 300 rooter plows.
 160 automotive cranes.
 3,600 trallers for tractors.
 1,000 miles industrial railway track.
 200 industrial railway locomotives
 3,500 industrial railway dump cars.
 15,000 feet rubber hose.
 5,000 feet steam hose.
 40 portable asphalt plants.
 200 steam shovels, capacity 1 yard or less.
 6,500 dump wagons.
 250 conveyors, gravity and power.
 35 donkey, 200 hoisting, and 75 gaso-
 line engines, 5 to 30 horsepower.
 375 complete steam-drill outfits.
 250 portable air-compressor outfits
 with power.
 100 boilers, 15 to 40 horsepower.

275 electric motors, 2 to 50 horsepower.
 1,300 pulley blocks.
 6,000 drag scrapers.
 2,000 Fresno scrapers.
 6,000 wheel scrapers.
 500 Maney 4-wheel scrapers.
 300 stump pullers.
 500 road drags.
 4,000 wheel barrows.
 10 dredges.
 10 ditching machines.
 10 trenching machines.
 6 back-filling machines.
 200 screening plants.
 100 wagon loaders.
 400 blasting machines complete.
 100,000 feet hoisting cable from $\frac{1}{4}$ to 1
 inch in diameter.
 10,000 feet air hose.
 100,000 linear feet Manila rope, $1\frac{1}{2}$ to 2
 inches in size.

It is thought that the final requirements of the several State high-
 way departments will be in excess of this estimate.

CONSTRUCTION MATERIALS.

The following list of construction materials is based on the esti-
 mated needs of the several States, ascertained as hereinbefore de-
 scribed:

550,000 barrels bituminous binders.
 50,000 linear feet prepared joint filler.
 2,110,000 bags Portland cement.
 1,000,000 tons gravel.
 1,000,000 tons crushed stone.
 Brick, all available.
 5,000,000 feet bridge form and building
 lumber.
 40,000 linear feet steel forms for con-
 crete road construction.
 120 carloads corrugated metal culvert.
 150 miles of steel or iron pipe, from
 $\frac{1}{4}$ to 3 inches in diameter, with fit-
 tings.
 1,186 tons structural steel.
 10,000 tons reinforcing steel.
 16,000 tons sheet-metal roofing.
 2,000 tons wire fencing.
 674,000 industrial railroad ties.
 10,000 gallons paint for wood and steel
 bridges, guard rails, etc.

50 tons nails.
 35 tons spikes.
 20 tons bolts.
 10 tons nuts, threaded.
 10 tons nuts, blanks.
 56,025 linear feet cast-iron culvert pipe
 from 12 to 36 inches in diameter.
 10,000,000 pounds T. N. T.
 109,240 exploders.
 2,000 miles telephone wire.
 50 permanent wall telephone sets,
 complete, with accessories.
 100 portable telephone sets, complete,
 with accessories.
 1,000 sets single heavy-work harness.
 3,000 sets heavy double-work harness.
 600 concrete buggies.
 4,404 high-speed trailers for trucks.

These materials are being allotted to the several State highway de-
 partments as different items appearing herein are declared by the
 Secretary of War to be available for distribution. Shipping direc-
 tions have been given for the following amounts:

2,000 bags Portland cement.
 3,942 industrial railroad ties.
 12 kegs spikes.
 37,921 linear feet cast-iron culvert
 pipe.

41,800 exploders.
 72 concrete buggies.

FIELD AND OFFICE EQUIPMENT.

The following list of field and office equipment is based on the estimated needs of the several States, ascertained as hereinbefore described:

1,062 engineers' transits.	10 blue-print machines.
1,146 engineers' levels.	283 office desks.
1,188 Abney levels.	198 typewriter desks.
3,055 steel tapes.	480 office tables.
1,440 level rods.	328 drafting tables.
50 range poles.	365 drafting stools.
180 metallic tapes.	315 field office desks.
2 Universal testing machines, capacity 200,000 pounds.	299 revolving office chairs.
400 rolls drafting paper.	805 office chairs.
110 rolls tracing cloth.	3,387 units filing cases.
130 rolls blue-print paper.	100 sets drafting instruments.
120 rolls cross-section paper.	100 sets assorted outfits, drafting supplies.
2,000 engineers' note books.	100 pocket compasses.
88 calculating machines.	100 stadia hand transits.
6 pantagraphs.	100 hand levels.
228 Universal drafting machines.	30 pedometers.
592 planimeters.	30 odometers.
366 adding machines.	60 steel-tape mending outfits.
63 comptometers.	9 plane tables.
507 typewriters.	108 aneroid barometers.

These materials are being allotted to the several State highway departments as different items appearing herein are declared by the Secretary of War to be available for distribution. Shipping directions have been given for the following amounts:

258 engineers' transits.	16 office chairs.
284 engineers' levels.	3 calculating machines.
128 Abney levels.	28 Universal drafting machines.
95 steel tapes.	14 planimeters.
165 level rods.	6 adding machines.
40 range poles.	8 comptometers.
365 drafting stools.	58 typewriters.
140 field office desks.	19 office desks.

CAMP MESS AND KITCHEN EQUIPMENT.

The following list of camp mess and kitchen equipment is based on the estimated needs of the several States, ascertained as hereinbefore described:

460 complete outfits of mess and kitchen equipment for units of various sizes averaging 40 men.	120 heating stoves for tents.
100 sets assorted kitchen utensils.	140 medicine chests, complete.
200 sets assorted dining-room outfits.	17,000 tents from 10 by 10 to corral tents.
23,000 galvanized-iron buckets.	25,100 Army blankets.
320 field ranges.	316,000 square feet of tarpaulin, assorted sizes.
560 Sibley stoves.	

These materials are being allotted to the several State highway departments as different items appearing herein are declared by the Secretary of War to be available for distribution. Shipping directions have been given for the following amounts:

5,414 galvanized-iron buckets.	25,087 Army blankets.
17,563 tents.	

In the States where convict labor is largely employed camp mess and kitchen equipment is of great value in properly maintaining the necessary crews in the field, and in the States where great difficulty

is being experienced in securing contractors to undertake road construction, a considerable amount of work will have to be done by day labor forces. There will be many more road crews at work in the field this year than during any previous year, and this equipment will be of great advantage in getting such crews organized and operating.

GENERAL SUPPLIES.

The following list of general supplies is based on the estimated needs of the several States, ascertained as hereinbefore described:

100 sets shelf and heavy hardware, assorted supplies.	63,000 shovels.
4,200 axes with handles.	2,000 spades.
1,600 ax handles.	1,260 crosscut saws.
1,680 adzes.	475 monkey wrenches.
1,200 brush hooks.	475 mason's trowels.
1,900 crowbars.	475 saw-filing outfits.
1,080 cant hooks.	12,677 lanterns.
300 grindstones	100 acetylene camp lights.
240 carborundum grinders.	600 paint brushes.
1,000 hammers, assorted sizes.	120 wire brushes.
100 riveting hammers.	100 tons drill steel.
2,130 striking hammers.	10 tons horseshoes.
5,265 hatchets.	10 tons mule shoes.
574 B. P. machinist hammers.	1 ton horseshoe nails.
2,100 shovel handles.	10 tons solid drill steel, $\frac{1}{2}$, $\frac{3}{4}$, and 1 inch in diameter.
7,050 pick handles.	10 tons hollow drill steel, $\frac{1}{2}$, $\frac{3}{4}$, and 1 inch in diameter.
920 sledge handles.	6,000 pounds axle steel, assorted sizes.
13,300 picks.	6,000 pounds tire steel, assorted sizes.
28,866 mattocks.	1,679 log chains.
950 drills.	
650 drill bits.	

These materials are being allotted to the several State highway departments as different items appearing herein are declared by the Secretary of War to be available for distribution. Shipping directions have been given for the following amounts:

6 axes with handles.	3 sledge handles.
192 ax handles.	3,030 picks.
106 striking hammers.	28,866 mattocks.
514 B. P. machinist hammers.	51,578 shovels.
850 hatchets.	2,000 spades.
50 shovel handles.	10,960 lanterns.
260 pick handles.	150 log chains.

It will be observed that a large portion of the foregoing list consists of hand tools that are used constantly in road construction, particularly in the doing of work involved the drilling and blasting of rock in building or widening roads where rock excavation is encountered.

MACHINE TOOLS, WOODWORKING TOOLS, AND MISCELLANEOUS OUTFITS.

The following list of machine tools, woodworking tools, and miscellaneous outfits is based on the estimated needs of the several States, ascertained as hereinbefore described.

15 complete machine-shop outfits, including lathes, drills, planers, fittings, etc.	3 end milling machines.
3 swing engine lathes, 14 inches to 20 inches.	3 planers.
	4 power punches.
	3 shapers.
	4 power shears.

3 shop screw presses, 25 tons capacity.	11 complete woodworking outfits, including lathes, saws, planers, fittings, and accessories.
12 complete set pipe dies from 3 inches down.	12 boring machines.
12 complete sets tops and dies for bolts and nuts.	30 wheelwright outfits, complete.
552 complete sets of blacksmith outfits, with forges, anvils, and accessories.	10 tire setters.
306 complete sets carpenter tools and chests.	10 farriers' outfits, complete.
	6 diving outfits, complete, with pumps.

It is thought that the final requirements of the State highway departments as to a number of the above-mentioned articles will be in excess of this list, particularly blacksmith outfits, as they constitute a necessary adjunct to each well-equipped road crew.

ANIMALS.

The following list of animals is based on the estimated needs of the several States, ascertained as hereinbefore described:

2,050 heavy draft mules.	10 saddle horses.
850 heavy draft horses.	

From a number of States we have had urgent requests to supply draft animals for use on trails in new territory, as in the forest areas, where the motor-truck equipment can not be used.

Respectfully,

C. F. MARVIN,
Acting Secretary.



CONTROL OF TUBERCULOSIS

AN ADDRESS

Delivered before the Arkansas Medical Society, at
Little Rock, May 21, 1919

By Dr. J. D. SOUTHARD, of Fort Smith, Ark.



PRESENTED BY MR. OWEN

JULY 22, 1919.—Ordered to be printed

WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

THE PREVENTION, CONTROL, AND CURE OF TUBERCULOSIS AS A PROBLEM FOR THE UNITED STATES GOVERNMENT.

[An address delivered before the Arkansas Medical Society at Little Rock, May 21, 1919, by Dr. J. D. Southard, of Fort Smith, Ark.]

The prevention, control, and cure of tuberculosis is, at the present time, the greatest problem that can engage the minds of men. It is not alone a national problem, as I shall try to show, but a world problem, than which the history of mankind takes note of none more important to the human race.

As physicians we know that tuberculosis is caused by the bacillus tuberculosis and that it is possible largely, if not entirely, to prevent tuberculosis among human beings. As physicians we know that this bacillus causes more disease, more death, more poverty and distress in this country than any other single agency. As physicians we also know that the disease produced by this bacillus is communicable, is preventable, and that in its earlier stage it is curable. The possession of this knowledge places upon us as physicians, as citizens, and as our brothers' keepers obligations and responsibilities which we can not escape if we would, and which oblige us to enlighten, caution, and warn those who do not know of their danger from this disease. As experience has abundantly proven that the present municipal, State, and other agencies are entirely inadequate and unable to cope with this disease, it becomes our duty to appeal the case to a higher power from whence alone relief can be had. Since all other agencies thus far, after faithful trial, have proven insufficient to stem the tide of destruction, it remains for the Government of, by, and for the people of this Nation to take charge, make plans, provide means, and wage relentless war on this disease. Why should it not do so?

In the medical examinations for the recent selective draft, according to the report of Provost Marshal General Crowder, tuberculosis disqualified more men for military service than any other systemic condition. Nine and one-half per cent or, excluding mental conditions, 10.6 per cent of all rejections for physical reasons were on account of tuberculosis; 1.3 per cent were disqualified on account of venereal diseases. It is believed these percentages may be considered to fairly represent the relative prevalence of these two disease conditions in civil life. Venereal diseases can scarcely be considered more preventable than tuberculosis, and case for case, they are nothing like so fatal, nothing like so pauperizing, nothing like so expensive to the patients and to the community in which they exist, nothing like so disabling, and yet the United States Government is at the present time conducting a Nation-wide campaign against venereal diseases, while it is doing almost nothing to prevent and control tuberculosis. I mention this in no spirit of

criticism, for I heartily commend the good work against venereal diseases, but only to call attention to our Government's apparent nearsightedness in permitting the Nation's life to flow out through the bung-hole while it is attempting to stop it at the spigot.

A large majority of the people throughout this Nation do not know the simple truths about tuberculosis—that it is communicable, preventable, and, if taken in time, curable. It is highly important that they should be enlightened and instructed. If tuberculosis destroys more life and health in the United States than any other single agency, as it certainly does, and if it is preventable, as it certainly is, is there any conceivable reason why the National Government should not as soon as practicable inaugurate measures for its suppression and control throughout the Nation? Is there anything more important, more necessary, or more urgent that our Government can do at this time? Is there any problem, condition, or circumstance wherein or on account of which the most vital and sacred interests of all the people are suffering more sorely? Is there anything so menacing to the life and strength of our country? As medical men we know the correct answer to these questions, but we can not assume that our Government officials know, for if they knew undoubtedly something more would have been done to stem the tide and stop the destruction of 200,000 lives of American citizens annually from this preventable disease.

Has our National Government any more important function, and more important duty, any more important and sacred obligation than that of securing and protecting the health and life of the people it represents? Is any amount of money and brains that are needed too great to be used to prevent, control, and cure tuberculosis and stop this awful drain upon the life and resources of the Nation? Then is it not our duty as medical men, knowing the truth, to point the way and lead the movement to nationalize the fight against this, the greatest scourge of humanity?

Undoubtedly the greatest need of the hour is an enlightened public mind relative to tuberculosis. It is absolutely certain that a beginning must be made among the masses of the people and especially among those whose educational and other advantages have been most neglected, for it is here this plague finds its greatest number of victims. It is here the greatest difficulties have always been encountered in this work, and where almost nothing has been accomplished because these people do not know the simple truth about tuberculosis.

I believe because of the magnitude of this problem, the National Government is the only agency by which it can be effectively handled, and I believe it is the agency by which it should be undertaken because, first, it is a national problem; because, second, though our State and municipal authorities have been and are doing about all they can do, we are making but slow progress, and no general educational campaign by them among the masses, where it is most urgently needed, seems practicable or possible.

But suppose the United States Government should appoint a tuberculosis commission, establish a bureau or, best of all, a national department of health, headed by a man like Dr. Gorgas, with authority and ample means to organize, unify, and coordinate all agencies, municipal, State, and national, now engaged in antituberculosis

work, to inaugurate and carry on this important work, can anyone doubt that it would succeed? I wish I might give our great President and Congress a vision of what would soon happen in this country. I am tempted to mention some of the things that I believe could, should, and would be accomplished. First, a series of bulletins could be published, setting forth briefly the Government's purpose and giving in plainest English the fundamental truths of tuberculosis with instructions as to how it can be prevented and cured. The Post Office Department could work out a plan whereby these bulletins, as published, would be placed as nearly as possible in every home in the United States and our dependencies. Arrangements could be made whereby they would be read in every schoolroom in the country, and all the newspapers and ministers would call public attention to their importance. These would be followed up by popular lectures throughout the country, and at the proper time the Government would establish sanatoria, clinics, and other agencies where and as needed. Coming from the United States Government the people would read such bulletins as they would read or listen to nothing else upon this subject, and from them they would learn the fundamental facts, the a b c's of, tuberculosis.

It is our sacred duty as a Government and as a people not only to nourish and protect but to strengthen and ennoble the life of our generation so that those who are to follow us will be stronger mentally and physically and find the world better for our having lived in it.

The nation which shall best discharge these obligations, other things being equal, will be the nation which shall become strongest in all the elements that make nations great and their people healthy, contented, and happy.

A little more than two years ago this Nation entered the World War. It called to arms four or five millions of our young men and sent nearly 2,000,000 of them across the seas to fight, bleed, and die for a great cause. They did fight as heroically as men have ever fought many thousands of them shed their blood on the soil of France, and many thousands more gave up their noble young lives in this great struggle for humanity, but I say to you the interests of humanity now equally demand that we again go to war, not against nations, not to shed our blood and sacrifice our lives, but to destroy humanity's greatest enemy, tuberculosis. The World War has aroused the Nation, has developed agencies and methods whereby more effective work against disease can be done now than ever before. It has placed a higher valuation upon the man power of our Nation and upon human life, and has aroused us to a greater realization of the importance and necessity of conserving life and health.

I believe the time and opportunity is now immediately before us when greater things can be accomplished in this great work than ever before in our history. Its importance and urgency can not be overstated or stressed. According to the most reliable and accurate statistics and official reports more lives were destroyed in the world by tuberculosis between August 4, 1914, and November 11, 1918, than were destroyed by shot and shell in the World War, the figures being 6,500,000 killed in the war and 8,000,000 killed by tuberculosis. Our own losses in killed, wounded, and missing in the war were about 275,000 during the year that we were in the fighting, while our death losses from tuberculosis during the same time were about 200,000

killed and a still greater number were disabled. Is this not enough to wake up a nation and demand its immediate consideration and action?

A beginning must be made some time, somehow, and I hope the Arkansas Medical Society will begin now by the appointment of a committee to draft a resolution setting forth the situation and outlining a plan for inaugurating and carrying on this work by the United States Government, and appealing to the President and to Congress for speedy action. The various State medical societies will undoubtedly cooperate and help all they can. I know it is a big undertaking, but none too big for the United States Government. The construction of the Panama Canal was a big job, but its success furnishes the greatest object lesson in sanitary science and disease prevention the world has ever seen in civil affairs, and reading, thinking people all over this country have been wondering and asking this question ever since: "If the Government could accomplish such wonderful results in the Canal Zone, why can it not do the same throughout this country?" And we know it can and will be done when we are willing as a nation to pay the price and do it.

This Nation has accomplished some great things for humanity during the last two years. It is still doing great things. It is restoring and curing thousands of our maimed and wounded soldiers, and it is conducting a nation-wide campaign against venereal disease. What a splendid climax to the official career of our great President, to the services of our National Government, and to the great achievements during this quadrennium would be the inauguration and execution of a plan, something like I have attempted to outline, to prevent and control tuberculosis. A league of nations to secure the peace of the world, tuberculosis, venereal and other preventable diseases abolished to secure national health, would continue to bless mankind throughout the ages.



GENERAL STAFF CORPS AND MEDALS OF HONOR.

LETTER
FROM
THE SECRETARY OF WAR,

TRANSMITTING,

IN RESPONSE TO A SENATE RESOLUTION OF JULY 14, 1919, CERTAIN DOCUMENTS IN RELATION TO THE INTERPRETATION AND EXECUTION OF SECTIONS 5 AND 122 OF THE NATIONAL DEFENSE ACT APPROVED JUNE 3, 1916.

JULY 23, 1919.—Ordered to be printed.

WAR DEPARTMENT,
Washington, July 22, 1919.

SIR: I have the honor to transmit to you herewith the documents called for by the Senate of the United States in a resolution adopted July 14, 1919, in the matter of copies of all reports, memoranda, etc., on file or of record in Washington, D. C., under the control of the War Department and that relate to the interpretation and execution of the provisions of section 5 and of section 122 of the national defense act, approved June 3, 1916.

Respectfully,

NEWTON D. BAKER,
Secretary of War.

HON. GEORGE A. SANDERSON,
Secretary of the Senate.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, May 23, 1916.

Memorandum for the Judge Advocate General.

Referring to section 5 of the committee print H. R. 12766, the Secretary of War desires your views as to the following:

1. Whether or not the law with reference to the General Staff goes into effect immediately upon signing the bill by the President?

2. What will be the authorized strength of the General Staff after the bill is signed?

3. Whether the law, if it becomes a law, will require the officers of the General Staff in excess of the number authorized for duty in Washington to be immediately relieved and assigned to duty elsewhere?

4. Does the provision contained on page 6 providing that details in the General Staff create vacancies as provided in section 27 of the act of Congress approved February 2, 1901, create vacancies upon the signing of the bill, or does this part of the bill become effective July 1 due to resulting increase in the officers? Does this increase all become effective at once or in five increments as provided for other increases?

H. L. SCOTT,
Major General, Chief of Staff.

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, May 25, 1916.

Memorandum for the Chief of Staff.
Subject: Increase of the Staff Corps.

1. The views of this office are desired with reference to the proper construction of section 5 of the national defense bill now awaiting approval (H. R. 12766, 64th Cong., 1st sess.), on the following points:

(a) "Whether or not the law with reference to the General Staff goes into effect immediately upon signing of the bill by the President?"

(b) "What will be the authorized strength of the General Staff after the bill is signed?"

(c) "Whether the law, if it becomes a law, will require the officers of the General Staff in excess of the number authorized for duty in Washington to be immediately relieved and assigned to duty elsewhere?"

(d) "Does the provision contained on page 6 providing the details in the General Staff create vacancies as provided in section 27 of the act of Congress approved February 2, 1901, upon the signing of the bill or does this part of the bill become effective July 1, due to resulting increase in the officers? Does this increase become effective at once, or in five increments, as provided for other increases?"

2. Excluding the Chief of Coast Artillery and the Chief of Division of Militia Affairs, who are made additional members of the General Staff Corps by the act of February 14, 1903 (31 Stat., 831), and March 3, 1911 (36 Stat., 1037), the composition, under existing law, of the General Staff Corps is that provided by section 3 of the act of February 14, 1903 (32 Stat., 831), as amended by section 5 of the act of August 24, 1912 (37 Stat., 594), and is as follows:

2 general officers (one being Chief of Staff),
4 colonels,
6 lieutenant colonels,
12 majors,
12 captains or first lieutenants,

aggregating 36 officers. The composition of the General Staff Corps as fixed in the bill, not counting the Chief of Coast Artillery and the Chief of the Militia Bureau, is as follows:

- 1 Chief of Staff (major general of the line),
- 2 officers (general officers of the line, one of whom, not above the grade of brigadier general, to be president of the Army War College),
- 10 colonels,
- 10 lieutenant colonels,
- 15 majors,
- 17 captains,

to be "detailed for periods of four years, unless sooner relieved, from corresponding grades in the Army." The pending statute provides, therefore, for an increase of—

- 1 general officer.
- 6 colonels.
- 4 lieutenant colonels.
- 3 majors.
- 5 captains.

Section 5 adds:

Section 27 of the act of Congress approved February 2, 1901, shall apply to each position vacated by officers below the grade of general officer detailed in the General Staff Corps.

Section 24 of the pending bill provides:

Except as otherwise specifically provided by this act, the *increases* in the commissioned and enlisted personnel of the Regular Army provided by this act *shall be made in five annual increments*, each of which shall be, in each grade of each arm, corps, and department, as nearly as practicable, one-fifth of the total increase authorized for each arm, corps, and department. Officers promoted to vacancies created or caused by the *addition* of the first increment shall be promoted to *rank from July 1, 1916*, and those promoted to vacancies created or caused by the second increment shall be promoted to rank from July 1, 1917, etc.

Authority is given the President, in the event of actual or threatened war, etc., to "immediately organize the entire increase authorized by this act, or so much thereof as he may deem necessary," etc.

3. In the light of these provisions, considering the statute as a whole, I think the questions suggested above should be answered as follows:

(a) The law with reference to the General Staff goes into effect immediately upon signing the bill by the President (3 Ops. Atty. Gen., 82), but, as in the case of other increases in the personnel of the Army, the additional offices representing the increase in the personnel of the General Staff Corps do not become effective at once, but are added in five annual increments, the first increment being added July 1, 1916, the second July 1, 1917, etc. Unless conditions arise under which the President is authorized to organize the Army immediately, or so much thereof as he may deem necessary, the additional offices representing the increase do not come into being until the periods stated from which the respective increments are to rank—that is, from July 1 of the year in which the increment is added.

(b) The authorized strength of the General Staff Corps, after the bill is signed, will be that provided by existing law until July 1, 1916, when the first increment of the increase is added.

(c) Section 5 provides that—

Not more than one-half of all the officers detailed in said corps shall at any time be stationed or assigned to or employed upon any duty in or near the District of Columbia, etc.

This is a general law, and there being no provision postponing its operation I am clearly of opinion that it becomes operative upon approval of the bill and will require the officers of the General Staff in excess of the number authorized for duty in Washington to be immediately relieved and assigned to duty elsewhere. In other words, not more than one-half of the officers comprising the existing authorized strength of the General Staff Corps may be stationed or assigned or employed upon any duty in or near the District of Columbia after the approval of the act. This will call for immediate execution as to the officers now on duty in the General Staff Corps upon the approval of the bill and for further execution as each increment is added by actual details to the General Staff Corps.

(d) This provision requires that section 27 of the act of Congress approved February 2, 1901, "*shall apply to each position vacated by officers below the grade of general officer detailed in the General Staff Corps.*" It creates, in my opinion, vacancies immediately upon the approval of the act and brings such vacancies under the operation of section 27 of the act of Congress approved February 2, 1901. I do not think that these vacancies can be regarded as within the operation of section 24 of the bill, which provides that the increases in the commissioned and enlisted personnel of the Army shall be made in five annual increments. I think the provision should be construed as specifically creating vacancies in the positions vacated by the officers comprising the existing General Staff Corps and providing for their being filled under the operation of section 27 of the act of February 2, 1901, and, as to future increments to the General Staff Corps, vacancies upon the detail of the officers comprising such increments.

E. H. CROWDER,
Judge Advocate General.

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, May 29, 1916.

Memorandum for the Chief of Staff.

Subject: Provision in national-defense act prohibiting more than half of the officers detailed in the General Staff Corps from being stationed in or near the District of Columbia, so far as the same may be affected by the membership of the Chief of Coast Artillery and the Chief of the Bureau of Militia Affairs in the General Staff Corps.

1. You have made oral inquiry of this office, as follows:

Are the Chief of Coast Artillery, who is an "additional member of the General Staff Corps" (sec. 5, p. 9), and the Chief of the Militia Bureau, who is "*ex officio* a member of the General Staff Corps" (sec. 81, p. 106), members of that body of officers one-half of whom must not be stationed in or near the District of Columbia (sec. 5, p. 6) ?

2. Section 5 of the national-defense act provides:

The General Staff Corps shall consist of one Chief of Staff, detailed in time of peace from major generals of the line; two assistants to the Chief of Staff, who shall be general officers of the line, * * *: 10 colonels; 10 lieutenant colonels; 15 majors; and 17 captains, to be detailed from corresponding grades in the Army, as in this section hereinafter provided. * * *

Not more than one-half of all of the officers detailed in said corps shall at any time be stationed, or assigned to or employed upon any duty, in or near the District of Columbia. All officers detailed in said corps shall be exclusively employed in the study of military problems, * * * or on other duties, not of an administrative nature, on which they can be lawfully and properly employed: *Provided*, That no officer shall be detailed as a member of the General Staff Corps, other than the Chief of Staff and the general officers herein provided for as assistants to the Chief of Staff, except upon the recommendation of a board of five officers not below the rank of colonel, * * *. The business heretofore transacted in said divisions (Mobile Army Division and Coast Artillery Division), except such as comes clearly within the general powers specified in and conferred upon members of the General Staff Corps by the organic act of Congress approved February 14, 1903, is hereby transferred as follows, to wit, to the office of the Chief of Coast Artillery, all business apportioned to that office by law or Army regulations at the time of the creation of the Coast Artillery division of the office of the Chief of Staff; to the office of The Adjutant General or other bureau or bureaus concerned, all other business; * * * and the Chief of Coast Artillery shall be an additional member of the General Staff Corps and shall also be adviser to and informant of the Chief of Staff in respect to the business under his charge: *Provided further*, That hereafter members of the General Staff Corps shall be confined strictly to the discharge of the duties of the general nature of those specified for them in this section and in the organic act of Congress last hereinbefore cited, and they shall not be permitted to assume or engage in work of an administrative nature that pertains to established bureaus or offices of the War Department, * * *.

Section 81 of the national defense act provides:

* * * The Militia Division now existing in the War Department shall hereafter be known as the Militia Bureau of said department, shall, like other bureaus of said department, be under the immediate supervision of the Secretary of War, and shall not form a part of any other bureau, office, or other organization, but the Chief of the Militia Bureau shall be ex officio a member of the General Staff Corps: * * *

3. The prohibition as to station relates specifically to the "officers detailed in said corps," and follows the provision specifying who may be so detailed—the Chief of Staff (major general), 2 assistants (general officers of the line), 10 colonels, 10 lieutenant colonels, 15 majors, and 17 captains. The Chief of Coast Artillery and the Chief of the Militia Bureau are not among those who, under the terms of the law, are *detailed in* the General Staff Corps. The Chief of Coast Artillery is, under the act of January 25, 1907 (34 Stat., 861), appointed as such by the President, and under the act of March 3, 1911 (36 Stat., 1037), the Chief of the Division of Militia Affairs (now the Chief of the Militia Bureau) is detailed as such from the general officers of the line.

Officers "*detailed in* said corps" are forbidden to be employed on duties of an administrative nature, and the "business heretofore transacted" in certain divisions of the General Staff Corps is "transferred" "to the office of the Chief of Coast Artillery" and to other bureaus of which the Militia Division is specifically made one by section 81 of the act. It is clear that the Chief of Coast Artillery and the Chief of the Militia Bureau are to engage in administrative work, which officers *detailed in* the General Staff Corps are forbidden to do.

Section 5 provides that except for the Chief of Staff and his two assistants, "no officer shall be *detailed* as a member of the General Staff Corps" except upon the recommendation of a board of five officers not below the rank of colonel. It is clear that this method of

selection does not apply to the Chief of Coast Artillery or the Chief of the Militia Bureau.

4. For the reasons above indicated, it is the opinion of this office that the Chief of Coast Artillery and the Chief of the Militia Bureau are not, according to the provisions of the national-defense act, detailed in the General Staff Corps, and that they are not therefore to be reckoned as a part of that body of officers one-half of whom must not be stationed in or near the District of Columbia.

E. H. CROWDER,
Judge Advocate General.

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, June 1, 1916.

Memorandum.

Subject: Commutation of quarters, heat, and light to General Staff officers relieved from duty at Washington, D. C.

1. The question is raised with reference to the relief of certain General Staff officers from duty at Washington, D. C., upon the approval of the national-defense bill, June 5, 1916, whether or not under the provision of section 5 of that bill, to the effect that—

Not more than one-half of all the officers detailed in said corps shall at any time be *stationed* or assigned to or employed upon any duty in or near the District of Columbia—

if they be directed to report at certain camps, like that at Plattsburg, N. Y., for temporary duty, they may "retain station in Washington, not for duty, but for the purpose of drawing commutation of quarters, heat, and light."

2. The provision in question requires that not more than one-half of the officers detailed to the General Staff Corps shall "at any time be *stationed* or assigned to or employed upon any duty in or near the District of Columbia." On and after the approval of the bill these officers can not retain Washington, D. C., as their station, but must thereupon be stationed at some point not "in or near the District of Columbia." If not assigned to some other station than the one to which they are temporarily assigned for duty their right to receive commutation of quarters, heat, and light must depend on that assignment. Under the statute officers can only draw their commutation of quarters, heat, and light at their regular station or at the place where they may be assigned to duty. As the law requires their assignment, upon the approval of the act, to some other station than one in or near the District of Columbia, it seems clear that they may not retain station in Washington for any purpose whatever.

E. H. CROWDER,
Judge Advocate General.

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, June 16, 1916.

Informal memorandum for Gen. Scott.

At an interview between us on June 8, 1916, you requested that I advise you informally as to whether it would violate any provision

of the recently enacted national-defense act or other statute law if Capt. Cootes, after being relieved from duty on the General Staff, should be detailed for duty in your office. You explained that you needed the services of Capt. Cootes in a variety of ways, and you mentioned particularly his usefulness in helping to receive and handle distinguished visitors, who made heavy drafts upon your time.

You also requested that you be advised whether more than one officer, not on the General Staff, could be detailed for duty in your office to assist you in the investigation and study of questions coming to your desk for action.

The provisions of the recently enacted national-defense act on the subject are, in part, as follows:

(A) Not more than one-half of all of the officers detailed in said corps shall at any time be stationed or assigned to or employed upon any duty in or near the District of Columbia. All officers detailed in said corps shall be *exclusively employed* in the study of military problems, the preparation of plans for the national defense, and the utilization of the military forces in time of war, in investigating and reporting upon the efficiency and state of preparedness of such forces for service in peace or war or on appropriate General Staff duties in connection with troops, including the National Guard, or as military attachés in foreign countries, or on other duties, *not of an administrative nature*, on which they can be lawfully and properly employed;

and

(B) No officer on the active list of the Army shall, for more than 30 days in any calendar year, be attached to or assigned to duty in the War College in any capacity other than that of president, director, instructor, or student, *nor, unless a member of the General Staff Corps, be attached to or employed in the office of the Chief of Staff.*

Section 4 of the act of February 14, 1903 (32 Stat., 831), provides, *inter alia*, that—

Acts and parts of acts authorizing aids-de-camp and military secretaries shall not apply to general officers of the General Staff Corps.

The provision quoted under (A) restricts the number of General Staff officers that may be employed in or near the District of Columbia to not more than one-half of all the officers detailed in the General Staff Corps, and requires that they shall be *exclusively employed* as set forth therein with the express prohibition on their employment on duties of an administrative nature.

The provision under (B) forbids the employment in the office of the Chief of Staff of any officer not a member of the General Staff Corps; and in view of the above quoted provisions of section 4 of the act of February 14, 1903, there is no special authority for the employment of an officer in the capacity of aid or military secretary to the Chief of Staff, such as could be construed as an exception to the general prohibition in the defense act.

Answering your inquiries, I would say that if Capt. Cootes be continued on duty as a General Staff officer, his employment as proposed would fall within the prohibition of provision (A) above quoted, and that if relieved from duty in the General Staff his employment in the desired capacity would come within the express prohibition of provision (B), quoted above. I would further state that no officer not on the General Staff can be detailed for duty in your office to assist you in the investigation and study of questions coming

to your desk for action; and that, as to General Staff officers, they can only be employed on duties which are not of an administrative nature, other than the assistants authorized by law.

E. H. CROWDER,
Judge Advocate General.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, June 15, 1916.

Memorandum for the Chief of Staff.

Section 5 of the national-defense act states with reference to the duties of the General Staff:

All officers detailed in said corps shall be exclusively employed in the study of military problems, the preparation of plans for the national defense and the utilization of the military forces in time of war, in investigating and reporting upon the efficiency and state of preparedness of such forces for service in peace or war, or on appropriate general staff duties in connection with troops, including the National Guard, or as military attachés in foreign countries, or on other duties, not of an administrative nature, on which they can be lawfully and properly employed: * * *

Provided further, That the organizations heretofore existing in or in connection with the office of the Chief of Staff under the designations of the mobile army division and the Coast Artillery Division be, and they are hereby, abolished and shall not be reestablished. The business heretofore transacted in said divisions, except such as comes clearly within the general powers specified in and conferred upon members of the General Staff Corps by the organic act of Congress approved February 14, 1903, is hereby transferred as follows, to wit, to the office of the Chief of Coast Artillery, all business apportioned to that office by law or Army regulations at the time of the creation of the Coast Artillery Division of the Office of the Chief of Staff; to the Office of The Adjutant General, or other bureau or bureaus concerned, all other business; and, subject to the exercise of the supervising, coordinating, and informing powers conferred upon members of the General Staff Corps by the act of Congress last hereinbefore cited, the business transferred by this proviso to certain bureaus or offices shall hereafter be transacted exclusively by or under the direction of the respective heads thereof. * * *

It is evident that it was the belief of Congress that the General Staff was spending too much time on purely administrative duties, and an effort has been made in the above quoted extract of the act approved June 3, 1916, to limit the activities of the General Staff in that respect.

As the phrase "administrative duties" is not susceptible of exact definitions, it is not possible to know just what Congress had in mind.

The organic act mentioned in the act of June 3, 1916, provides:

SEC. 2. That the duties of the General Staff Corps shall be * * * to render professional aid and assistance to the Secretary of War and to general officers and other superior commanders, and to act as their agents in informing and coordinating the action of all the different officers who are subject under the terms of this act to the supervision of the Chief of Staff. * * *

SEC. 4. That the Chief of Staff, under the direction of the President or of the Secretary of War, under the direction of the President, shall have supervision of all troops of the line and of The Adjutant General's, Inspector General's, Judge Advocate's, Quartermaster's, Subsistence, Medical, Pay, and Ordnance Departments, the Corps of Engineers, and the Signal Corps, and shall perform such other military duties not otherwise assigned by law as may be assigned to him by the President. * * *

It is clear from above-quoted extracts that the law still contemplates that the Chief of Staff, unless the President or Secretary of War

direct otherwise, will supervise the work of the various bureaus of the War Department.

In order to carry out as nearly as can be the intent of Congress in transferring administrative duties and the work formerly done in the Mobile Army Division of the General Staff to the various bureaus of the War Department and at the same time retain supervision of the bureaus of the War Department, it will be necessary to prescribe specific rules as to conduct of business, so that the Chief of Staff and chiefs of bureaus will have a definite understanding as to their respective duties.

The law does not require and, in the absence of such requirement, it is believed it is not necessary nor advisable to modify or change the existing practice, under the instructions of the Secretary of War, for bureau chiefs to submit their views and recommendations on questions affecting the Army through the Chief of Staff.

Personnel matters are now largely regulated by specific rules prescribed by the Chief of Staff acting under the authority of the Secretary of War.

It is believed when these rules have been prescribed the execution of them becomes an administrative question and, under the act of June 3, 1916, should be turned over to The Adjutant General of the Army. There is nothing to prevent such limitations being placed in these rules as the Secretary of War may desire. It is undoubtedly advisable that such details as commanders of service schools, military attachés, and regimental commanders be submitted in each case to the Chief of Staff for approval. These details are of such importance to the service as to warrant the Chief of Staff, who is the representative of the line of the Army, in making specific recommendations to the Secretary of War in each case. As to routine requisitions and requests for funds, involving an expenditure of less than \$500, it is thought where such requests have been approved by all intermediate commanders and the chief of bureau concerned that the final action becomes routine and The Adjutant General should be authorized to approve same in the name of the Secretary of War without submission to the Chief of Staff. Such course would save a great deal of the time of the Chief of Staff, which is needed for study of more important matters.

Many letters are received by the Secretary of War, Assistant Secretary of War, Chief of Staff, and The Adjutant General which often have only an indirect bearing on Army matters. Many of these letters require an examination of the records before an answer can be formulated. Such letters should be answered by The Adjutant General without submission to the Chief of Staff. If such letters are from public officials, such as Senators, Congressmen, or governors of States, and concern subjects which it is evident the Secretary of War should answer personally, the replies should be prepared by The Adjutant General for the signature of the Secretary or Assistant Secretary of War.

To carry out the course of procedure above outlined, the following recommendations are submitted:

1. Letters received in the office of The Adjutant General which relate to the records or are on routine matters, the proper reply to

which has been indicated in previous correspondence, The Adjutant General will make reply without getting approval in each case. If these letters are from public officials, such as Senators or Congressmen, or from governors of States, and concern subjects which it is evident the Secretary of War should answer personally, proper replies will be prepared by The Adjutant General for the signature of the Secretary of War or Assistant Secretary, as the case may require.

2. The following rules relative to personnel matters are recommended:

(a) There will be kept in The Adjutant General's Office a roster for foreign service. All officers not on detached service will be placed on this roster, and officers will not be placed on detached service in the United States if their position on the roster indicates that within one year they will be due for foreign service.

(b) Officers below the grade of colonel going to or returning from foreign service will be assigned to regiments, by The Adjutant General, in such way as to keep as nearly as practicable the same number of officers in each grade available for duty with the various regiments.

(c) When a regimental commander is to be assigned to a regiment a list of colonels, available for the assignment, will be submitted by The Adjutant General to the Chief of Staff for instructions.

(d) When a detail is to be made as military attaché, commandant of service schools, superintendent or commandant at West Point, or important military boards, The Adjutant General will bring the matter to be Chief of Staff for instructions.

(e) In case of details to the staff departments or bureaus, or for duty with the Organized Militia, The Adjutant General, or one of his assistants, will personally present the recommendations to the Chief of Staff or Assistant Chief of Staff for instructions.

WM. S. GRAVES,
Major, General Staff, Secretary.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
June 19, 1916.

Memorandum for the Chief of Staff.

It is recommended that the attached memorandum for The Adjutant General be signed for the following reasons:

1. In the interests of efficiency of the General Staff it is advisable to know what officers will remain on the General Staff after the promotions take place July 1.

2. The Adjutant General should be informed as soon as possible what promotions will result on July 1. A decision as to the General Staff is necessary before he can take action looking to promotion of officers.

TASKER H. BLISS,
Major General, Assistant to Chief of Staff.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
June 19, 1916.

Memorandum for The Adjutant General.

Under the provisions of section 5 of the national defense act, approved June 3, 1916, the Secretary of War directs that those concerned be informed that all officers who are at present detailed in the General Staff Corps and who will be promoted to the next higher grade on July 1, 1916, will be permitted to serve out the period of their details.

H. L. SCOTT,
Major General, Chief of Staff.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, July 8, 1916.

Memorandum for the Chief of Staff.

Subject: Organization and functions of the General Staff.

1. Herewith is a memorandum prepared by Maj. J. McA. Palmer on the subject stated. I concur with Maj. Palmer in the view that there is nothing in the organic or any other law regarding the functions of the General Staff to warrant the belief that the supervising and coordinating powers conferred on the Chief of Staff can be legally exercised by the body of the General Staff. The duties of these officers are clearly laid down on broad lines in the organic act; they refer essentially to war preparation. I have expressed my views in some detail in a memorandum for the Chief of Staff, dated July 1, 1916, on the Reorganization of the War Department General Staff (WCD 639-129):

2. I believe that the regulations should be rewritten, so that no misunderstanding can arise in the service as to the true meaning of the organic law. One object of the new law is to confine members of the General Staff Corps strictly to the discharge of duties specified for them in the organic act.

3. It is recommended that the revision of the Army Regulations relating to the General Staff Corps be assigned to a special committee which might be composed of an officer of the General Staff, one of The Adjutant General's Department, and one of the Judge Advocate General's Department. It is further recommended that Maj. Palmer's paper be referred to such committee for consideration.

M. M. MACOMB,
Brigadier General, Chief of War College Division.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, June 22, 1916.

Memorandum for the Chief of War College Division.

Subject: Organization and functions of the General Staff.

1. In view of the fact that the act approved June 3, 1916, provides for certain modifications of General Staff organization, and as cer-

tain phases of this subject are already receiving the consideration of this division, the undersigned begs leave to submit the following views with reference to General Staff organization with the request that they be referred to the General Staff for consideration if deemed of sufficient importance.

2. In the first place, it is believed that there is some confusion of ideas with reference to the functions of the General Staff, which is due to the fact that the legislation of 1903 created two distinct agencies. The act of 1903 created the General Staff as a new corps of the Army and defined its functions. It also created a new office, that of Chief of Staff, having certain supervisory and coordinating powers in the War Department. It is true that in his coordinating capacity the Chief of Staff is authorized to use General Staff officers as his agents, but it is believed that a careful examination of the law and a consideration of the organization and functions of the General Staff in other countries will show that coordination and supervision under the law is a function not of the General Staff but of the Chief of Staff.

3. The chief of the general staff of the German Army and the great general staff have nothing whatever to do with the peace administration of the German Army. In time of peace they are concerned peculiarly and strictly with preparations for war, which include the education and training of officers and the perfection of the system of tactics and troop leading in war. Certain general staff officers act as chiefs of staff of army corps and other military commands, but they are regarded as detached from the great general staff, and the great general staff as such has nothing to do with peace administration.

4. It is believed that a great simplification of General Staff organization would result if we take into consideration these two entirely distinct functions. In this case we would have a General Staff proper engaged solely in the performance of General Staff duties as defined by law, and in addition thereto we would have the office of the Chief of Staff as a coordinating agency in the War Department. These two agencies would seem to have entirely distinct duties under the law.

5. The theory that coordination and supervision are not specific functions of the General Staff proper is confirmed by the organization adopted by the British Government in 1904, when the imperial general staff was created as a new agency in the war office. In this organization the chief of the general staff was placed at the head of a new department, having charge of military operations and preparations therefor. He was to be supreme in this department, but had no control over any other department of the British war office. Other means of supervision and control were provided, in order to assure the employment of the new general staff corps upon strictly general staff duties. It was even proposed to call this new body an operations staff, in order to avoid a misunderstanding which might arise from using the phrase general staff as an equivalent for the German general staff.

It is believed that the assignment of supervisory and coordinating functions to the Chief of the General Staff as provided in our General Staff law was a wise and necessary arrangement, considering our form of Government and the character of our military organi-

zation. But it is also believed that the assignment of a supervising and coordinating function to the chief of the new corps, and the authorization to use General Staff officers to assist him in that capacity, tended to divert that new corps from a full development of the special duties for which it was created.

6. It is believed that a correct organization should rest upon a distinct recognition of these two principles: First, that the law assigned certain definite duties to the General Staff proper, and that these duties did not include a supervision and coordination of the War Department; second, that the law also gave to the Chief of the General Staff certain coordinate and supervising power and authorized him to employ certain officers of the General Staff to assist him in this coordinating capacity. In other words, that the coordinating capacity pertains not to the General Staff but solely to the Chief of Staff in so far as this power may be delegated to him by the Secretary of War or the President.

7. If this view is correct, then it would seem that an application of the following rule would be the basis of proper organization:

(a) Determine what duties are General Staff duties, and, so far as practicable, confine the General Staff proper strictly and exclusively to these duties.

The following is a partial list of subjects which seem to pertain peculiarly to the General Staff, both under the law and under the custom of other military nations:

Plans for the defense of the Nation and its dependencies and for military operations in all possible theaters of war.

Preparation of plans for cooperation between the land and naval forces.

Plans for the mobilization and strategic construction of the Regular Army and other military forces.

Preparation of recommendations on policy governing the organization, training, and equipment of the land forces.

Military information.

Training of the military forces.

The approval of drill and field-service regulations.

Preparation of policy governing the education of regular and reserve officers.

Preparation of policy governing the training of officers for General Staff duty.

No doubt other subjects can be added to this list, but it is believed that these are all strictly General Staff duties and that they are of sufficient importance to engage the entire attention of the limited body of General Staff officers available. It is believed that in creating the General Staff it was the primary intent of its founders to provide an agency for the consideration of these subjects.

(b) Whenever any item of War Department business comes under settled policy or pertains by law exclusively to one of the bureaus, it should be acted on by the bureau concerned, in accordance with the policy or the law, and should not be referred to or considered by the General Staff proper.

(c) Whenever the dispatch of any War Department business requires a settlement or determination of policy, the head of the department concerned should present the question of policy for decision,

with specific recommendation as to what in his opinion the policy should be. This should be referred to any other departments concerned for their comment. The recommendation and comment should then be submitted to the Chief of Staff. If the question at issue is purely administrative, or if it has no relation to war plans, military training, or other peculiarly General Staff function, it should be acted on by the Chief of Staff in his coordinating capacity without reference to the General Staff proper. If the question at issue is one affecting the peculiar functions of the General Staff, it should be referred to the General Staff proper for recommendation, before final decision.

(d) As a rule, the General Staff proper should not initiate any business except such as pertains to its special functions. When it makes recommendations on subjects peculiarly and exclusively within its province, the Chief of Staff should recommend approval or disapproval without reference to any other agency in the War Department. But whenever a project or plan originated by the General Staff affects the proper functions of any other staff department, there is a question of coordination to be settled before approval. In this case the project should be submitted by the Chief of Staff to the other bureaus concerned for their comment and recommendation. If they concur, coordination is complete. If there is a nonconcurrence, then the issue so joined must be decided by the Secretary of War and should be brought before him by the Chief of Staff in his coordinating capacity. In this case the final settlement of the policy on a scientific basis can only be accomplished by reference of both points of view to the Secretary of War. In a case of this kind the view of the General Staff, though it pertains to the war efficiency of the Nation and is entitled to the greatest weight, is only an *ex parte* view. The decision is for the Secretary of War or the President and not with the General Staff. If the Secretary of War decides the issue on a full showing on both sides of the controversy, then his decision becomes final and constitutes policy.

8. The two theories of General Staff organization are shown graphically in figures 1 and 2, attached.

Fig. 1 is based on the prevalent theory that the General Staff is a coordinating agency as a war-preparing agency. This is not only inconsistent with the intent of the law but prevents the full development of General Staff functions proper.

Unless there is a distinct cleavage between the two functions and a distinct assignment of different personnel to each of the two functions, the coordinating function must encroach upon the General Staff function proper.

Fig. 2 illustrates the theory that the General Staff was created to perform General Staff functions proper as defined by law.

The *Chief of Staff* and not the General Staff was given certain coordinating and supervisory functions. General Staff officers may be lawfully detailed to assist the Chief of Staff in the exercise of his coordinating functions, but when so detailed it should be considered that they are to all intents and purposes detached from the General Staff proper.

J. McA. PALMER,
Major, General Staff.

FIGURE 1.

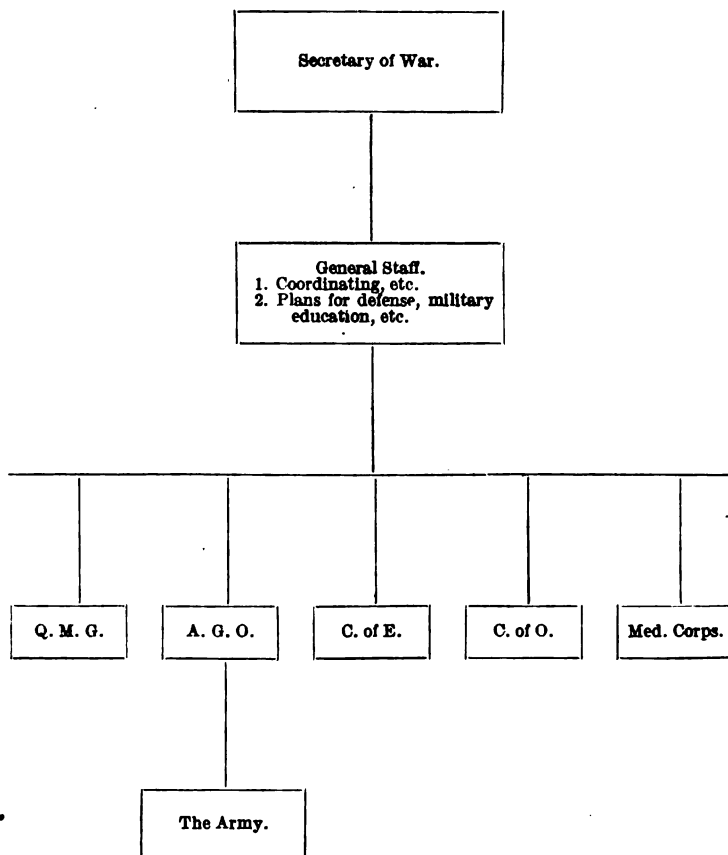
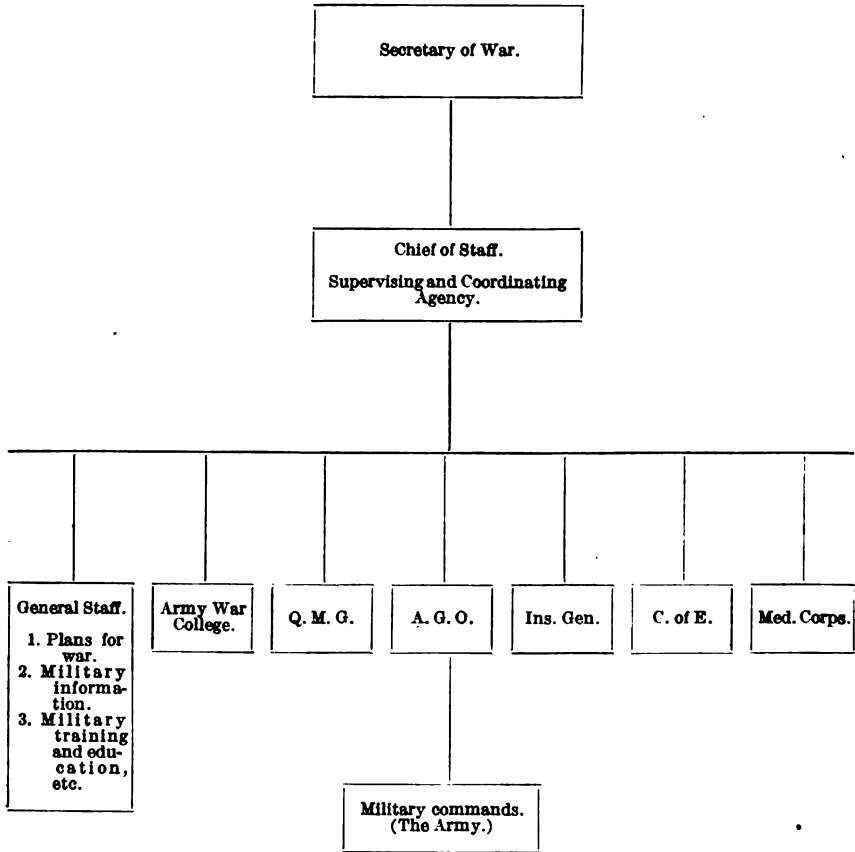


FIGURE 2.



WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
June 9, 1916.

Memorandum for Chief War College Division:

The Chief of Staff directs me to send you the accompanying memorandum relative to the employment of General Staff officers and to state that he desires a report thereon as promptly as can be made.

WM. S. GRAVES,
Major, General Staff, Secretary.

JUNE 9, 1916.

Memorandum.

Subject: Employment of General Staff officers.

1. Section 5 of the recently enacted national defense act carries, inter alia, the following provision respecting the employment of officers of the General Staff Corps:

All officers detailed in said corps shall be exclusively employed in the study of military problems, the preparation of plans for the national defense, and

the utilization of the military forces in time of war, in investigating and reporting upon the efficiency and state of preparedness of such forces for service in peace or war, or on appropriate General Staff duties in connection with troops, including the National Guard, or as military attachés in foreign countries, or on other duties, not of an administrative nature, on which they can be lawfully and properly employed.

* * * * *

Provided further, That the organizations heretofore existing in or in connection with the office of the Chief of Staff under the designations of the Mobile Army Division and the Coast Artillery Division be, and they are hereby, abolished. The business heretofore transacted in said divisions, except such as comes clearly within the general powers specified in and conferred upon members of the General Staff Corps by the organic act of Congress approved February 14, 1903, is hereby transferred as follows, to wit: To the office of the Chief of Coast Artillery, all business apportioned to that office by law or Army Regulations at the time of the creation of the Coast Artillery Division of the office of the Chief of Staff; to the office of The Adjutant General of other bureau or bureaus concerned, all other business; and, subject to the exercise of the supervising, coordinating, and informing powers conferred upon members of the General Staff Corps by the act of Congress last hereinbefore cited, the business transferred by this proviso to certain bureaus or offices shall hereafter be transacted exclusively by or under the direction of the respective heads thereof.

* * * * *

Provided further, That all pay and allowances shall be forfeited by any superior for any period during which, by his order or his permission, or by reason of his neglect, any subordinate shall violate any of the foregoing provisions of this section.

The organic act creating the General Staff, to which reference is made above, defined its duties as follows:

The duties of the General Staff Corps shall be to prepare plans for the national defense and for the mobilization of the military forces in time of war; to investigate and report upon all questions affecting the efficiency of the Army and its state of preparation for military operations; to render professional aid and assistance to the Secretary of War and to general officers and other superior commanders, and to act as their agents in informing and coordinating the action of all the different officers who are subject under the terms of this act to the supervision of the Chief of Staff; and to perform such other military duties not otherwise assigned by law as may be from time to time prescribed by the President. (Sec. 2, act of Feb. 14, 1903; 32 Stat., 831.)

Article LVIII, Army Regulations, paragraphs 752-773, inclusive, further define the duties of the General Staff under the provisions of the organic act last above quoted.

2. The provisions of the national defense act quoted herein assume that officers of the General Staff Corps have been participating in administrative work over and beyond the participation necessary in the exercise of the supervising, coordinating, and informing powers vested in them by statute law. It is necessary in determining the execution which the act should receive that it should be stated, as definitely as possible, what administrative work the General Staff has heretofore been performing, and further necessary to define the phrase "duties of an administrative nature."

3. It is therefore directed that you cause to be made, as promptly as possible, a study of the general subject matter of this communication, and report (a) what duties of an administrative nature were being performed by General Staff officers on the date of the approval of the national defense act, June 3, 1916; (b) whether such participation in administrative work by General Staff officers was limited

strictly to that which was necessary in the exercise of their supervising, coordinating and informing powers, or whether it extended to the complete performance of administrative tasks; (c) what, in the opinion of the General Staff, constitute duties of an administrative character the performance of which by General Staff officers is prohibited by the provisions of the national defense act; (d) what execution the recently enacted national defense act requires in respect of curtailment of administrative work performed by officers of the General Staff.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, July 13, 1916.

Memorandum for the Chief of Staff.

Subject: Employment of General Staff Officers.

1. Herewith are extract copies of a memorandum by the Acting Quartermaster General regarding this matter, July 11, 1916, which it is recommended be attached to W. C. D. 639-114, July 1, 1916, on this subject.

2. The memorandum of the Acting Quartermaster General, received after W. C. D. 639-114 was submitted, does not require any change in the latter, except to make this addition.

M. M. MACOMB,
Brigadier General, Chief of War College Division.

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL OF THE ARMY,
Washington, July 11, 1916.

Memorandum for the Chief of Staff.

1. Referring to the memoranda of the Chief of the War College Division dated June 10 and 18, 1916, an examination of the records of this office has been made. The clerical force is unusually busy at this time and a complete analysis of all the administrative duties since the organic act of Congress approved February 14, 1903, pertaining to the Quartermaster Corps and upon which action has been taken by higher authority is out of the question within the limited time permitted. It is not believed that records on file in his office would generally show what administrative duties, if any, the officers of the General Staff may have been engaged upon, such matters, as a rule, not being of record in this office. The one instance hereinafter cited appears to fall within the provisions of the memorandum of June 10, 1916, from the chief of the War College Division.

2. The instance referred to concerns the fitting out of chartered transports for the accommodation of troops in 1914 (reference 453-052, Nov: 22, 1913, Chief, Quartermaster Corps [571-5]).

* * * * *

3. A summary of the case is that on March 16, 1913, the Quartermaster General submitted a memorandum to the Chief of Staff recommending the manner in which it was proposed to fit out chartered transports for the movement of troops overseas. On February 18, 1914, the Quartermaster General received direction to fit out the chartered transports conforming to a plan prepared by an officer of the General Staff. On May 27, 1914, and June 5, 1914, the com-

manding general. Second Division, and the Chief Surgeon of the Army, respectively, reported adversely on the installations of hammocks and cots that had been made, and later, on July 18, 1914, the recommendations of the Quartermaster General in regard to the installations of standees and bunk bottoms as originally planned, were approved and steps were taken to refit the chartered transports as recommended.

The preparation of suitable plans for the outfitting of transports is believed to be an administrative duty pertaining to the Office of the Quartermaster General.

HENRY G. SHARPE,
Brigadier General, Quartermaster Corps,
Acting Quartermaster General.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, July 13, 1916.

Memorandum for the Chief of Staff.

Subject: Employment of General Staff officers.

1. Herewith are copies of a memorandum by the Chief of Ordnance on this subject, July 7, 1916, which it is recommended be attached to W. C. D. 639-114, July 1, 1916, on the same subject.

2. The memorandum of the Chief of Ordnance, received after W. C. D. 639-114 was submitted, does not necessitate any change in the latter, except to make this addition.

M. M. MACOMB,
Brigadier General, Chief of War College Division.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ORDNANCE,
Washington, July 7, 1916.

Memorandum for the Chief of the War College Division.

Subject: Employment of General Staff officers.

In reply to the memoranda of June 10 and June 18, 1916 (O. O. 321.1/1 and 321.1/2), concerning the above-mentioned subject, I can say that there has been very little assumption of administrative duty properly pertaining to this department by members of the General Staff other than the Chief of Staff. In so far as my memory now serves me, the cases in which I think the General Staff has performed administrative functions with reference to the Ordnance Department can all be included in one class.

In performing the duties of design and supply of fighting material devolved upon it by section 1164, Revised Statutes, the Ordnance Department from time to time finds it appropriate to request assistance from some other branch of the service, and the requests for assistance are usually met by orders issued from The Adjutant General's office for the performance of the particular things requested by the Ordnance Department and the submission of reports of the results. Illustrations are the trial at one of the service schools, or in organizations, of sights, artillery harness, forms of ammunition, etc. When reports of the results of the trial of experimental material thus furnished by the Ordnance Department are received by The Adjutant General's office it has been the frequent practice to

refer them to some office of the General Staff, instead of transmitting them directly to this department, for whose information they were obtained; and these reports have often first reached this department with instructions as to what further should be done in the premises, issued pursuant to memoranda for the Chief of Staff by the General Staff office to which the matters had been referred. There have been instances in which such papers, after having been referred to the War College Division, have been sent directly to this office for recommendation as to the instructions which should be recommended by that division for issue. These requests would seem to recognize that the subject was included within the province of the Ordnance Department, and was handled by the War College Division because of instructions to do so.

In such cases as these I think the Ordnance Department should handle the subject and should present such conclusions as ought to be presented to the War Department if its personnel and facilities would permit. The necessity for securing assistance beyond its own control ought not to result in taking the subject involved out of the jurisdiction of the Ordnance Department at an incomplete stage.

Section 5 of the act of June 3, 1916, prohibits the performance of administrative work by any member of the General Staff Corps, and makes no exception of the Chief of Staff. This involves a fundamental alteration in the method of administering the Army which has been followed since the passage of the General Staff act in 1903. In accordance with what has always been supposed to be the intention of that act the Army at large has been administered by the Chief of Staff under the Secretary of War. This is not the case in all countries. In the English service, I think, the army is administered, under the secretary of state for war, by the adjutant general, who not only issues orders but determines what those orders shall be, and has no military superior except the body known as the army council, of which he is a member. The chief of the general staff has, in time of peace, duties very similar to those performed by our Chief of the War College Division of the General Staff. There has been some change of procedure since the beginning of the present European war, but it is difficult to ascertain just what it is. In the English service also the heads of the other staff departments have no military superiors except the army council, of which they are members, although they are all subject to the orders of the secretary of state for war, who also is the president of the army council. Under the English system it is thus seen that there is no single administrative head of the army, unless the secretary of state for war be considered such, and that official does much less administrative work than does our Secretary of War.

Our Army has always been administered by the Secretary of War, notwithstanding the fact that for a number of years an officer was assigned to the command of the Army, even in time of peace. That officer, however, did not command or administer the Army. The officer who aided the Secretary of War as an administrative officer was, until the creation of the office of Chief of Staff, The Adjutant General, who, with reference to the Army at large other than the staff departments, was in very much the relation to the Secretary of War that the Chief of Staff has been since 1903.

Our Chief of Staff practically combines the functions of the chief of the general staff and the adjutant general in the British service, and in addition, exercises supervision over the staff departments. The functional authority of our Chief of Staff is in the British service vested in the army council. In a service where as much administrative work is demanded of the Secretary of War as has always pertained to his office in this country, it is questionable whether the administrative assistance which he could get from a body like the army council, in matters which require coordination, would be equal to that which he now gets from the Chief of Staff; and as nothing like the army council has been created in our service it is difficult for me to perceive how the administrative duties now performed by the Chief of Staff could be undertaken by any other officer. It may be that I misapprehend the requirement of section 5 of the act of June 3, 1916, and that administrative work by the Chief of Staff is not prohibited. I do not, therefore, offer any solution of the problem of administration of the Army by the Secretary of War without the assistance of the Chief of Staff.

WILLIAM CROZIER,
Brigadier General, Chief of Ordnance,
United States Army.

WAR DEPARTMENT,
 OFFICE OF THE CHIEF OF STAFF,
Washington, July 8, 1916.

Memorandum for the Chief of Staff.

Subject: The personnel of the detailed General Staff and its distribution under the act of June 3, 1916.

1. Under the provisions of the laws in force previous to June 3, 1916, the General Staff Corps included 2 general officers, members ex officio, whose duties required them to be stationed in Washington, and a detailed personnel consisting of 2 general officers, 4 colonels, 6 lieutenant colonels, 12 majors, and 12 captains. The national-defense act of June 3, 1916, makes no change in the status of the ex officio members, but increases the detailed personnel by 1 general officer, 6 colonels, 4 lieutenant colonels, 3 majors, and 5 captains, or 19 in all, and provides that this increase be made in five annual increments beginning with July 1, 1916. Therefore, on July 1, 1920, the authorized number of officers detailed on the General Staff would consist of 3 general officers, 10 colonels, 10 lieutenant colonels, 15 majors, and 17 captains, a total of 55. This result is shown in the subjoined table:

TABLE I.—*Authorized increase of the General Staff.*

Grades.	Number authorized June 30, 1916.	Annual increments July 1 each year.					Total authorized increase.	Number authorized July 1, 1920.
		1916	1917	1918	1919	1920		
General officers.....	2	1					1	3
Colonels.....	4	1	1	2	1	1	6	10
Lieutenant colonels.....	6	1	1		1	1	4	10
Majors.....	12	1		1		1	3	15
Captains.....	12	1	1	1	1	1	5	17
Total.....	36	5	3	4	3	4	19	55

2. It is exceedingly important that there should be under the immediate direction of the Chief of Staff, both in peace and in war, the most efficient body of military advisers that can be given him by the President. It is, therefore, worthy of note that the act of June 3, 1916, limits the power of the President to assign officers of the General Staff to duty or station by providing that—

Not more than one-half of all the officers detailed in said corps shall at any time be stationed or assigned to or employed upon any duty in or near the District of Columbia.

This means that only one-half, or less, of all the detailed General Staff are available for duty in Washington, leaving one-half or more available for stations and duties away from that city.

The first category includes those officers whose duties are performed under the immediate direction of the Chief of Staff, known collectively as the War Department General Staff, in contradistinction to those officers assigned to duty with commanders of territorial departments or of the higher tactical units who are denominated the General Staff serving with troops. The subjoined table shows the exact number in each category that will be available in each fiscal year during the period from July 1, 1916, to July 1, 1920. The increase granted by the new law goes to the General Staff serving with troops. The personnel of the War Department contingent will never reach its previous quota of 29.

TABLE II.—General Staff personnel authorized in each grade each fiscal year from July 1, 1916, to July 1, 1920.

Grades.	Total June 30, 1916.	First increase.	Total for fiscal year 1916-17.		
			July 1, 1916.	War De- partment.	With troops.
General officers.....	2	1	3	3	—
Colonels.....	4	1	5	2	3
Lieutenant colonels.....	6	1	7	3	4
Majors.....	12	1	13	6	7
Captains.....	12	1	13	6	7
Total.....	36	5	41	20	21

Grades.	Total June 30, 1917.	Second increase.	Total for fiscal year 1917-18.		
			July 1, 1917.	War De- partment.	With troops.
General officers.....	3	—	3	3	—
Colonels.....	5	1	6	3	3
Lieutenant colonels.....	7	1	8	3	5
Majors.....	13	—	13	6	7
Captains.....	13	1	14	7	7
Total.....	41	3	44	22	22

TABLE II.—General Staff personnel authorized in each grade each fiscal year from July 1, 1916, to July 1, 1920—Continued.

Grades.	Total June 30, 1918.	Third increase.	Total for fiscal year 1918-19.		
			July 1, 1918.	War De- partment.	With troops.
General officers.....	3	.....	3	3	.....
Colonels.....	6	2	8	4	4
Lieutenant colonels.....	8	.....	8	3	5
Majors.....	13	1	14	7	7
Captains.....	14	1	15	7	8
Total.....	44	4	48	24	24

Grades.	Total June 30, 1919.	Fourth increase.	Total for fiscal year 1919-20.		
			July 1, 1919.	War De- partment.	With troops.
General officers.....	3	.....	3	3	.....
Colonels.....	8	1	9	4	5
Lieutenant colonels.....	8	1	9	4	5
Majors.....	14	.....	14	7	7
Captains.....	15	1	16	7	9
Total.....	48	3	51	25	26

Grades.	Total June 30, 1920.	Fifth increase.	Total for fiscal year 1920-21.		
			July 1, 1920.	War De- partment.	With troops.
General officers.....	3	.....	3	3	.....
Colonels.....	9	1	10	4	6
Lieutenant colonels.....	9	1	10	5	5
Majors.....	14	1	15	7	8
Captains.....	16	1	17	8	9
Total.....	51	4	55	27	28

3. Five years is a long period over which to spread the small increase of 19 officers authorized by this act, especially when it is generally conceded that the personnel of the General Staff has always been too small to enable it to properly perform the duties with which it is specifically charged. The act itself creates an emergency by entirely reorganizing our land forces, thereby bringing up problems that require for their correct solution the concentrated effort of the whole General Staff authorized. The stress upon this body is going to continue throughout this formative stage and is especially onerous at the present time when quick and correct action is essential. In addition to this formative work there is the extra labor consequent upon the disturbed conditions along our southern border and that imposed by the European war. New lessons are to be learned daily. We have sent observers abroad to gather data for us but have not provided the personnel to digest the information they are furnishing. We have a unique opportunity to get information of vital importance to us during the conditions now existing along our border. Here is a most prolific field for military observers. In this case they should be members of our General Staff. We have sent

none to study the conditions or to make a permanent record of the experiences so vital to our future development on lines suited to operations in the terrain adjacent to our southern border.

4. The adoption of the general policy of building up our new Army in five increments is undoubtedly wise. Deliberation is necessary to insure a strong healthy development of the body of our new force without undesirable excrescences that would need pruning later. It should be adhered to unless some exigency demands quicker action in special cases to be decided on their merits. The act provides for just such contingencies and authorizes the President to immediately organize the entire increase authorized or so much thereof as he may deem necessary in the event of actual or threatened war or similar emergency in which the public safety demands it. While present conditions do not require us to plunge into the difficult and perhaps impossible task of immediately expanding the whole Army to the full extent authorized, the case is very different with the expansion of the General Staff for which a total increase of only 22 per cent above its original strength in 1903 is proposed and for which the trained personnel is available. The country is now passing through a critical stage in its military development and if there ever was a time when the public safety demands a thorough and scientific study of defense measures, that time is the present. The body of officers designed by law to make such studies is the General Staff. It should at once be brought to the greatest state of efficiency possible under the law. In view of what has been stated it is believed that the entire increase authorized in the General Staff should be made during the present fiscal year.

5. The duties of the War Department General Staff have been set forth in considerable detail in a memorandum for the Chief of Staff dated July 1, 1916 (W. C. D. 639-129) and an organization calculated to secure the performance of such legitimate General Staff work suggested therein showing clearly that we ought to have now performing these duties all the 27 officers authorized. But this can not be arranged under the law without making available at the same time the full number of 28 authorized for use with troops. In order to show clearly how and where these officers might be utilized, the subjoined table has been prepared, based primarily upon the requirements of our territorial commands.

TABLE III.—*General Staff for service with troops.*

Grades.	Territorial commands.								Total.
	Philippine Department.	Hawaiian Department.	Panama.	Eastern Department.	Central Department.	Western Department.	Southern Department.	Proposed departments.	
Colonels.....	11	11	.....	11	11	11	11	.....	6
Lieutenant colonels.....	.....	.....	11	11	.....	.....	11	11	5
Majors.....	11	11	11	11	11	11	11	11	8
Captains.....	11	11	11	11	11	11	11	11	9
Total.....	3	3	3	4	3	3	4	3	28

¹ Chief of Staff.

² Intelligence officers.

³ Militia officer.

⁴ Assistant to the Chief of Staff.

If we had these officers available to-day, they could be doing General Staff work of immense value to the service. It is believed they are just as necessary at this time as the War Department contingent.

6. It is therefore recommended that serious consideration be given to the question of at once increasing the strength of the General Staff to the full number of 55 officers, authorized under the law.

It is further recommended that this paper be referred for consideration to any committee or board that may be appointed to determine the proper organization of the General Staff under the provisions of the act approved June 3, 1916.

LIMITATIONS ON THE POWERS OF THE PRESIDENT.

1. In addition to the limitations placed upon the power of the President by the national defense act, approved June 3, 1916, in regard to stationing or assigning to duty in or near the District of Columbia officers detailed in the General Staff Corps, to which attention has been invited in paragraph 2 of this memorandum, he is still further restricted in regard to employment of officers by the provision requiring that "no officer on the active list of the Army shall, for more than 30 days in any calendar year, * * * unless a member of the General Staff Corps, be attached to or employed in the Office of the Chief of Staff."

This makes it impossible, either in peace or war, to augment the meager War Department General Staff by utilizing line officers whose abilities would enable them to render important service in time of need. It also prevents officers being tried out for General Staff duty or being put under training for special duty like that of military attaché for over 30 days in any calendar year, which may be too short a period for the purpose.

2. Such limitations upon the power of the Executive in regard to the employment of officers might possibly be considered unconstitutional and void. The law provides a penalty for noncompliance with any of the provisions of section 5, referring to the General Staff Corps in the following language:

That all pay and allowances shall be forfeited by any superior for any period during which, by his order or his permission, or by reason of his neglect, any subordinate shall violate any of the provisions of this section.

The words "any superior" evidently include the President, and yet it must be conceded that some sudden emergency might arise requiring the President to direct the employment of certain officers in a manner not contemplated by this act. In other words, in exercising his prerogative as Commander in Chief of the Army, he might feel compelled, in the interests of the public service, to violate the letter of the law. Does anyone suppose that there would be any attempt to enforce the penalty in his case or in the case of the Secretary of War acting for the President?

3. It would, of course, be enforced in the case of the Chief of Staff or of any subordinate officer. The ultimate effect of the law then is to make it impossible for anyone but the President (or the Secretary of War acting for him) to act on such emergency cases. Any attempt to enforce the penalty against the Commander in Chief would probably cause a reference of the whole matter to the Supreme Court to

decide upon the constitutionality of the law. It is not believed that the legal authorities would bring this necessity about.

PREPARATION OF TABLE II.

In preparing Table II it has been found convenient to assume that the number of General Staff officers of each grade employed in or near the District of Columbia will be as nearly as may be one-half the total number allowed by law in that grade at any time. The law does not prescribe this proportion, but it accords well with the duties required both of the General Staff with troops (Table III) and of the War Department General Staff under the scheme of organization by sections as outlined in a memorandum for the Chief of Staff dated July 1, 1916 (W. C. D. 639-129). The proportion is bound to fluctuate, due to promotions and exigencies of the service, but it is believed the half-and-half standard is probably the best and fairest one to follow as a general guide, remembering that the War Department, by law, gets the services of three general officers and the Director, Army War College (a field officer).

To summarize, we would have eventually:

Where assigned.	General officers.	Colonels.	Lieutenant colonels.	Majors.	Captains.	Total.
War Department.....	3	4	5	7	8	27
With troops.....		6	5	8	9	28
Total.....	3	10	10	15	17	55

M. M. MACOMB,
Brigadier General, Chief of War College Section.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, September 2, 1916.

Memorandum for the Secretary of War:

Subject: The necessity of supervision of the Chief of Staff over the detail of officers from the line of the Army to the several staff corps and departments.

1. Section 4 of the organic act creating the General Staff Corps, approved February 14, 1903, provides:

That the Chief of Staff, under the direction of the President or of the Secretary of War, under the direction of the President, shall have supervision of all troops of the line and of the Adjutant General's, Inspector General's, Judge Advocate's, Quartermasters, Subsistence, Medical, Pay, and Ordnance Departments, the Corps of Engineers, and the Signal Corps, and shall perform such other military duties not otherwise assigned by law as may be assigned to him by the President. Duties now prescribed by statute for the Commanding General of the Army as a member of the Board of Ordnance and Fortification and of the Board of Commissioners of the Soldiers' Home shall be performed by the Chief of Staff or other officer designated by the President. Acts and parts of acts authorizing aids-de-camp and military secretaries shall not apply to general officers of the General Staff Corps.

2. The act approved February 2, 1901, provided for the detail of officers from the line of the Army to the various staff corps and departments. Minor changes have been made from time to time, but the general scope of this law remains the same. There is a natural desire on the part of chiefs of staff corps and departments to pick the very best officers in the line for detail to their respective departments. This necessitates very close supervision on the part of the Chief of Staff to coordinate these details and keep properly qualified officers for line duty with various regiments, schools, etc. Such supervision is essential for the efficiency of the Army as a whole. Direct requests from chiefs of staff corps or departments for the detail of particular officers for duties which many officers are qualified to perform injects unnecessarily the personal element into Army consideration, which should be eliminated so far as possible as indicated by repeated announcements of different Secretaries of War.

The method of selecting officers for detail to the staff departments has been the subject of various decisions by the different Secretaries of War. During the past year this question was made the subject of careful study by the former Secretary of War, Mr. Garrison, and he required for this purpose written reports from all chiefs of bureaus and departments. On February 11, 1915, after a careful consideration of these reports, he announced decision and directed instructions issued as follows:

FEBRUARY 11, 1915.

Memorandum.

Method of selecting officers for detail to Staff Departments.

I have gone over this matter sufficiently to reach the following conclusion:

It is very desirable that the staff corps should be of the highest possible efficiency. It is equally desirable that the line should not be robbed of its best men for the use of the staff corps. It is likewise desirable that as many men as possible, consistent with good administration, should be acquainted with the duties of the line and the staff, so that they could be utilized in either as occasion might require it.

The head of each staff corps or bureau is naturally most interested in getting the very best assistants possible, so as to make the finest showing in his department. In consequence of this he undoubtedly will be on the lookout for those officers that will best enable him to produce this result.

The Chief of Staff and the Chief of the Mobile Army Division will be equally alert to see that the line of the Army is not robbed to unduly enrich the staff in this respect.

The sole question raised is where the list of officers of the line shall originate or be initiated. In both propositions it is laid before the same two jurisdictions, to wit, the Chief of Staff and the particular bureau or staff corps in question.

As I have said above, it is perfectly safe to assume as the fact that the respective bureau chiefs and heads of staff corps will be constantly on the alert to get into their departments by detail the men who will best serve them to make their service efficient. If, therefore, they initiate the lists, it is a fair assumption, if not an irresistible one, that they will have done the best that could be done for their service. If the Chief of Staff can guard the interests of the whole service by supervising those lists, and thereby prevent the line of the Army from suffering to a greater extent than is needed from the inroads of the staff thereon, he will have fulfilled his proper function in this respect.

Without attempting to be precise or inclusive, I think it is fair to say that one of the main ideas in establishing the General Staff and the Chief of Staff with the functions assigned him was that we might have a coordinating and supervising agency for the whole Military Establishment. I do not mean to be understood as holding that nothing is intended to be originated in the General Staff or that it has no initiative whatever, but I do mean that in general its functions were intended to be, and should be, coordinating and supervising.

My conclusion, therefore, is that the Regulations should be so amended as to provide that the bureau chiefs and heads of staff corps, when a vacancy is to be filled, shall present lists of officers whom they desire to have detailed to the Chief of Staff, and that the Chief of Staff shall supervise those lists with a view, of course, of carrying out the proper policy with respect to the needs of the staff and the line, and that only those men shall be detailed who shall receive the assent of the Chief of Staff. In this, as in all other matters, any disagreement which is serious enough to require the attention of the Secretary of War may be brought to him for personal consideration.

LINDLEY M. GARRISON.

FEBRUARY 17, 1915.

Memorandum for The Adjutant General:

The Secretary of War directs that for each vacancy to be filled the lists referred to in the concluding paragraph of his memorandum dated February 11, 1915, with reference to the "method of selecting officers for detail to staff departments" shall contain the names of three officers who are eligible for at least two years, and who are presumably available for the detail.

H. L. SCOTT.

Brigadier General, Chief of Staff.

Approved:

LINDLEY M. GARRISON,
Secretary of War.

3. The question now presented is whether this supervisory power of the Chief of Staff as conferred under the organic act of February 14, 1903, has in any way been modified by the provisions of section 5 of the national defense act approved June 3, 1916. The Judge Advocate General of the Army in his opinion of July 24, 1916, said:

5. Coming now to the duties of the Chief of Staff: I do not believe that by virtue of any authority he has, either in his capacity as a member of the General Staff Corps or as chief of said corps, he can lawfully exercise his power so as to stand between a bureau head and the Secretary of War himself upon matters assigned by law, regulation, and custom to the administrative bureau, except by laying down general rules of policy and general rules designed to coordinate the efforts of the various bureaus, nor is he ever justified in substituting in such matters his judgment for theirs. I know that the practice under the law as it existed up to the passage of the national defense act did not accord with this view. Whatever may have been said in justification of that practice heretofore, in view of the unmistakable purpose of Congress to reestablish bureau jurisdiction absorbed by the General Staff and the Chief of Staff, as is so clearly enunciated in the recent act, the practice ought not to be continued. The Chief of Staff is but a member of the General Staff Corps whose duties are the duties of that corps, except in so far as they may be found to be otherwise by section 4 of the original act, read in the light of the recent act, which establishes for him a special relation to the President and to the Secretary of War. That section is as follows:

"That the Chief of Staff, under the direction of the President or of the Secretary of War under the direction of the President, shall have supervision of all troops of the line and of The Adjutant General's, Inspector General's, Judge Advocate's, Quartermaster's, Subsistence, Medical, Pay, and Ordnance Departments, Corps of Engineers, and the Signal Corps, and shall perform such other military duties not otherwise assigned by law as may be assigned to him by the President. * * *"

He is here given supervision of the line and of the staff departments. Supervision is a word of broad meaning. It may mean a direct control, or it may mean a general power of overseeing with a view to regulation through a power drawn from some other source. Supervision does not as a legal concept, when applied to matters military, carry the idea of command. The abolition of the old office of commanding general was to bring departmental organization more in harmony with the constitutional precept that the Secretary of War, as the constitutional mouthpiece of the President, was himself the commander of the Army. Operating upon the same subject and for the same purpose as does the supervisory powers of that corps, the supervision specially conferred upon the

Chief of Staff must be the kind of supervision which is conferred upon other members of the General Staff who are in a sense the assistants of the Chief of Staff in the performance of his duties, though, of course, his supervisory power is of a much higher degree.

The supervisory power of the Chief of Staff to be exercised under the direction of the Secretary of War is of a general kind, does not extend to the invasion or absorption of duties of a special bureau, but is to be exercised upon general subjects in a general manner, seeking a general effect, with a general policy in view. It does not relate to particular and routine performance, it does not descend to an overseeing of minor or detailed operations. It concerns only the higher functions of command and administration, and must relate to general results rather than to particular means and particular activities. I see nothing in the statute which substitutes the Chief of Staff for the several bureau chiefs as an aid and adviser to the Secretary of War concerning those matters which are committed by Congress to their special jurisdiction and control. But, on the other hand, the statute expressly provides to the contrary. Indeed, the organic act, notwithstanding the practice which grew up under it, in the very section devoted to the duties of the Chief of Staff, indicates clearly that it was never the intention to confer upon him powers and duties already assigned to the administrative bureaus, for, as one of several reasons, in a general clause following an enumeration, it is prescribed that the Chief of Staff shall "perform such other military duties not otherwise assigned by law as may be assigned to him by the President." And the recent national defense act re-prescribes with emphasis and particularity the same relation, and enjoins that hereafter it shall be observed.

I think the true view is this, that under the statute the jurisdiction of the Chief of Staff does not absorb that of the several bureaus nor subject their action or their views upon particular matters falling within their special jurisdiction to his review and modifying judgment, but that his function is limited to that of general supervision, going no further than to secure by the exercise of general power under the direction of the Secretary of War harmonious co-operation and successful general results. Likewise, it is only in respect of such matters and for such purposes that he is the special superior adviser of the Secretary of War.

I am well aware that those matters which are within the exclusive jurisdiction of the bureau chiefs must, usually, in their finality, require executive action, and that it would be absurd to hold that the Secretary of War or the Assistant Secretary must personally dictate or prescribe that action in the myriad of matters. To my mind this gives rise to no difficulty. Certainly it ought not to be urged to enlarge the duties of the Chief of Staff by requiring him, unlawfully, I think, to act ministerially and without discretion in numerous matters to the neglect of his own higher functions. If the matters are minor matters of routine, or if they are minor matters subject to government by an established general policy which has already been established for their government, it would be unwise administration to require the discretion of the Secretary of War to be addressed in the execution of such details, and in such matters only his order evidenced ministerially by the signature of The Adjutant General or other appropriate bureau chief is needed to give formal authenticity to his action. If the subject be of more than routine importance and yet not of general effect nor involving general policy, such an exceptional case is to be considered by the head of the department upon the advice of the bureau chief. In all matters falling within the special jurisdiction of the several bureaus Congress has said in effect that the views of the particular bureau chief shall govern the Secretary so far as his own judgment is to be advised; and if the Secretary of War respects not the advice of his lawful advisers, but subjects is to extra-legal review, he to that extent dispenses with the statute and the lawful medium of control, and, moreover, destroys the distribution of departmental organic powers ordained by law.

4. The purpose of Congress in creating the General Staff and the office of Chief of Staff was to give to the President, without diminishing his control as Commander in Chief, an instrumentality for exercising that command effectively and efficiently and through which he could coordinate the interests and activities of the line and the various staff corps and departments to the end that the Army might be maintained in the state of the highest possible efficiency. In the

absence of clear and explicit declarations to the contrary it should be assumed, in view of the purpose of Congress in creating the General Staff and the office of Chief of Staff, that the further action of Congress as embodied in section 5 of the national-defense act was to improve and strengthen that agency rather than to destroy it. Had it been the purpose of Congress to have imposed upon the Chief of Staff and the General Staff in the exercise of their duties the limitations arrived at in the opinions of the Judge Advocate General it would have done so in clear and explicit language. The phraseology of the act defines and strengthens the original legislation.

With respect to the decision of the Judge Advocate General of the Army on the same subject the following is noted. This decision admits the supervising, coordinating, and informing function of the General Staff, but assumes to limit the degree to which the function may be exercised to such an extent as to render it ineffective. The function is either legal or illegal as a whole. If legal, it may be exercised. If exercised, an interpretation which seeks to place a nullifying limitation upon the effective exercise of the function is without foundation of logic or law.

In the closing paragraph of the decision of the Judge Advocate General of the Army, namely—

In all matters falling within the jurisdiction of the several bureaus, Congress has said in effect that the views of the particular bureau chief shall govern the Secretary so far as his own judgment is to be advised; and if the Secretary of War respects not the advice of his lawful advisers, but subjects it to the extra-legal review, he to that extent dispenses with the statute and the lawful medium of control, and, moreover, destroys the distribution of departmental organic powers ordained by law—

he presumes without warrant to dictate to the Secretary of War the source from which he shall receive professional advice in the administration of the business of the Army. The approval of such a decision by the Secretary of War would amount to a voluntary surrender of his delegated powers as Secretary of War. This decision further assumes to relegate the Chief of Staff to the position of Chief of the General Staff, a limitation of the powers of that officer neither expressed in the law nor implied in the minds of those who created the office. The Chief of Staff is the military adviser and representative of the President, through the Secretary of War. He exercises such authority, either executive or administrative, as is delegated to him; and to limit him in the full exercise of the power conferred on him is to restrict the President in the exercise of his constitutional authority to command the Army.

Section 4 of the act approved February 14, 1903, conferred upon the Chief of Staff certain duties entirely distinct from those pertaining to his position as Chief of the General Staff. These duties involve supervision both of all troops of the line and of the staff corps and departments. No distinction was made between the character of supervision to be exercised over line troops and staff departments. The inference is plain that the supervisory power conferred upon the Chief of Staff was intended to enable him to so direct the actions of all as to obtain the coordination necessary to military efficiency.

5. In view of the difference of opinion relative to the supervisory duties of the Chief of Staff under the provisions of paragraph 5, na-

tional-defense act, it is recommended that the decision of the former Secretary of War, Mr. Garrison, as embodied in the final paragraph of his memorandum of February 11, 1915, be reaffirmed and the regulations which were in force at the time of the passage of the national-defense act regarding the detail of officers from the line of the Army to the several staff corps and departments be continued in effect.

H. L. SCOTT,
Major General, Chief of Staff.

WAR DEPARTMENT,
WAR COLLEGE DIVISION,
OFFICE OF THE CHIEF OF STAFF,
Washington, November 29, 1916.

Memorandum for the Chief of Staff.

Subject: Changes in the Army Regulations relating to the General Staff Corps.

1. The proposed revision of Army Regulations referred to in paragraph 42 of the memorandum from the War College Division, dated November 20, 1916 (WCD 639-136), is as follows:

2. It is recommended that the paragraphs of the Army Regulations numbered 752-761, both inclusive, and paragraphs 764-773, both inclusive, be rescinded and that the following new paragraphs bearing the same numbers be substituted therefor. No change is recommended in paragraphs 762 and 763. No changes are recommended in the text of paragraphs 758, 765, 766, 767, and 769, but new numbers are assigned them in order to place them in their proper logical position in the new draft.

ARTICLE LVIII.

GENERAL STAFF CORPS.

752. The law establishes the General Staff Corps as a separate and distinct staff organization. It is composed of officers of the grades and number specified in the act of Congress approved June 3, 1916, detailed for service in said corps for a period of four years, unless sooner relieved, under rules of selection prescribed by the President, and upon the recommendation of a board of officers formed under the provisions of said act. Upon being relieved from duty in the General Staff Corps, officers return to the branch of the Army in which they hold permanent commissions, and except in case of emergency or in time of war are not eligible to further detail therein until they have served for two years with the branch of the Army in which commissioned. This ineligibility does not apply to any officer who has been relieved prior to the expiration of four years' duty with the corps; but such officer will become ineligible as soon as he shall have completed a total of four years of said duty. While serving in the General Staff Corps officers may be temporarily assigned to duty with any branch of the Army.

This is the same as the old 752 revised to conform to the national defense act, and also includes the first phrase of the old 753.

753. The act of Congress approved February 14, 1903, created the General Staff Corps and the office of Chief of Staff. The Chief of Staff is a member of and Chief of the General Staff Corps which is specifically charged with certain duties connected with preparations for the national defense, and, in addition thereto, he is also given general supervision of the Military Establishment under the direction of the President or of the Secretary of War under direction

of the President. The Chief of Staff thus has a dual capacity under the law, and he is empowered under the law to employ officers of the General Staff Corps to assist him in his supervisory and coordinating capacity as well as in the performance of the duties peculiar to the General Staff. The General Staff establishment in Washington is, therefore, collectively designated as the office of the Chief of Staff, and in order to insure a proper specialization in duties, the office of the Chief of Staff is subdivided into the First and Second Divisions.

754. The First Division of the office of the Chief of Staff is composed of an Assistant Chief of Staff and such other General Staff officers as may be assigned thereto by the Chief of Staff. It is the function of the First Division to assist the Chief of Staff in his supervising and coordinating capacity and in the transaction of all other business lawfully under the supervision of the Chief of Staff, except those purely General Staff duties which, under paragraph 757 of these Regulations, are assigned to the Second Division. The Assistant Chief of Staff in immediate charge of the First Division is officially designated as Chief of the First Division, office of the Chief of Staff. Subject to the approval of the Chief of Staff, the Chief of the First Division is authorized to issue regulations governing the organization and conduct of business in his division.

755. It is the duty of the First Division, so far as practicable, to recommend general rules governing the transaction of routine business requiring the action of the Chief of Staff. These rules, when approved by the Secretary of War, should form guides for the direct transaction of routine business by bureau chiefs and commanding generals without the special reference of routine items of business which are clearly covered by the settled rule or policy.

Business which appears to require the revision of a settled rule or the determination of a new rule, should be referred to the Chief of Staff for decision, but in this case the reference should always include a tentative statement of the proposed revision or new rule drawn up in detail by the officer originating the question.

All recommendations for the revision of regulations or standing orders of the War Department should be accompanied by a tentative draft of a revision designed to accomplish the proposed change.

Questions of administrative or financial business will be prepared for the action of the Chief of Staff by the First Division and will not be referred to the Second Division unless they involve questions affecting defense plans or other purely General Staff matters as defined by law and specified in paragraph 757 of these Regulations.

756. When the proper transaction of business requires coordination between two or more bureaus, the matter may be referred by the Chief of Staff jointly to the bureaus concerned for joint recommendation. In this case the bureau chiefs concerned, after such joint action as may be necessary, will return the paper with their joint recommendation. When new business is received by The Adjutant General, he is authorized, when necessary, to establish the basis of coordination by a joint reference to the bureaus concerned before the matter is submitted to the Chief of Staff for the action of the Secretary of War.

757. The Second Division of the office of the Chief of Staff is composed of an Assistant Chief of Staff and such other General Staff officers as may be assigned thereto by the Chief of Staff. The Second Division is charged with the following duties:

(a) The investigation of such matters of national military policy as may be referred to it by proper authority.

(b) The accumulation, classification, and distribution of military information, and general supervision of intelligence work throughout the Army.

(c) The preparation of war plans and the study of possible theaters of war.

(d) The preparation of plans for the joint action of the Army and Navy under all possible contingencies.

(e) The examination of local defense projects, and their coordination with general war plans.

(f) The development of mobilization plans, applicable to the Regular Army, the National Guard, the Volunteer Army, and such other land forces as are now or may hereafter be authorized by law.

(g) The development of strategic and tactical doctrine, which demands a thorough and systematic study of military operations abroad, as well as an investigation of our own military history.

(h) The supervision of the preparation, modification, or revision of drill and field service regulations.

(i) The preparation of plans for the training of the Army, including the preparation of training orders and maneuver schemes.

(k) Supervision of the professional education of officers.

(l) Preparation of regulations governing the training and eligibility of candidates for the General Staff.

(m) Formulation of arrangements for the proper organization and equipment of the land forces.

The Assistant Chief of Staff, in immediate charge of the Second Division, is designated as the Chief of the Second Division, office of the Chief of Staff. He is also assigned by law as the president of the Army War College.

For purposes of specialization in General Staff duties, the Second Division is subdivided into a military intelligence section, a military operations section, and a military preparations section.

Subject to the approval of the Chief of Staff, the Chief of the Second Division is authorized to issue regulations governing the conduct of business of the division, the assignment of duties, and of General Staff personnel to sections, and (as sufficient personnel becomes available) the establishment of such additional sections as the proper development of General Staff business may require.

This gives substantially the same functions to the General Staff proper as are specified in the memorandum by the Chief of Staff dated July 31, 1916. The name "military preparations" is proposed as a substitute for "military education," as it is a broader term and includes military education as well as other important functions. It is the theory of the War College Division that "military operations" should cover practical plans for the military employment of the military forces such as they actually may be at any time, and that the "military preparations" section should concern itself with all plans looking toward the betterment of the military forces. This will include education and training of the existing establishment and recommendations looking toward the improvement of organization and equipment. This section should be subdivided when increased personnel is available.

758. The Chief of Staff and the chiefs of the First and Second Divisions, with the Secretary of the General Staff as recorder, constitute the General Staff board of direction and review. It shall be the duty of this board to determine the assignment and disposition of business which is not exclusively assignable under paragraphs 754 and 757 of these Regulations to either the First or Second Division. This board will also consider and recommend such measures as may be necessary to produce coordination and information between the two divisions, and if so directed by the Chief of Staff, may act upon reports or recommendations of either division.

When reports or recommendations made by either division are of sufficient importance, the Chief of Staff may convene, for their consideration, the whole body of the General Staff on duty in Washington.

759. The assignment of duties to the General Staff Corps does not involve in any degree the impairment of the initiative and responsibility which special staff corps and departments have in the transaction of current business.

This is the same as the present paragraph 758.

760. Officers of the General Staff Corps assigned to duty with commanders of armies, divisions, separate brigades, and territorial departments, are collectively denominated the General Staff serving with troops. They serve under the immediate orders of such commanders; those not so assigned perform duty under the immediate direction of the Chief of Staff.

This is a slight revision of the existing paragraph 757.

CHIEF OF STAFF.

761. Under the Constitution the President is the Commander in Chief of the Army of the United States. He will place parts of the Army under commanders subordinate to his general command; and, in case of exigency seeming to him to require it, he may place the whole Army under a single commander subordinate to him; but in time of peace and under ordinary conditions the administration and control of the Army, as a whole, are effected without any second in command.

The President's command is exercised through the Secretary of War and the Chief of Staff. The Secretary of War is charged with carrying out the policies of the President in military affairs. He directly represents the President and is bound always to act in conformity to the President's instructions. Under the law and the decisions of the Supreme Court his acts are the President's acts and his directions and orders are the President's directions and orders.

The Chief of Staff reports to the Secretary of War, acts as his military adviser, receives from him the directions and orders given in behalf of the President, and gives effect thereto in the manner hereinafter provided.

Exceptions to this ordinary course of administration may, however, be made at any time if the President sees fit to call upon the Chief of Staff to give information or advice, or receive instructions, directly.

Wherever in these Regulations action by the President is referred to, the action of the President through the Secretary of War is included; and wherever the action of the Secretary of War is referred to, the Secretary of War is deemed to act as the representative of the President and under his direction.

The Chief of Staff is detailed in time of peace by the President from major generals of the line. The successful performance of the duties of the position requires what the title denotes—a relation of absolute confidence and personal accord and sympathy between the Chief of Staff and the President, and necessarily also between the Chief of Staff and the Secretary of War. For this reason, without any reflection whatever upon the officer detailed, the detail will in every case cease, unless sooner terminated, on the day following the expiration of the term of office of the President by whom the detail is made; and if at any time the Chief of Staff considers that he can no longer sustain toward the President and the Secretary of War the relations above described, it will be his duty to apply to be relieved.

The provisions of paragraph 752 regarding the redetail of an officer who has not completed a total of four years' service apply to the Chief of Staff.

This is a revision of the existing paragraph 761 in the following particulars: In the first clause the source of the President's authority is more correctly stated. The last sentence of the third clause is omitted because the supervisory function of the Chief of Staff is covered fully in preceding paragraphs of the draft. The sixth clause is corrected to conform to the national-defense act.

764. Supervisory power is conferred upon the Chief of Staff over all matters arising in the execution of acts of Congress and Executive regulations made in pursuance thereof relating to the National Guard. This supervision is especially directed to matters of organization, armament, equipment, discipline, training, and inspections. Proposed legal enactments and regulations affecting the National Guard and estimates for appropriations for its support are considered by him, and his recommendations submitted to the Secretary of War.

In this paragraph "National Guard" is substituted for "militia"; otherwise it is the same as the existing 764.

765. Reports and recommendations pertaining to the special duties of the General Staff as defined by law and as specified in paragraph 757 of these Regulations are transmitted to the Secretary of War with such recommendation of approval, modification, or disapproval as the Chief of Staff may deem proper.

766. The Chief of Staff is charged with the duty of informing the Secretary of War as to the qualifications of officers as determined by their records, with

a view to proper selection for special details, assignment, and promotions, including detail to and relief from the General Staff Corps; also of presenting recommendations for the recognition of special or distinguished services.

This is the same as the old 765.

767. All orders and instructions emanating from the War Department, and all regulations affecting the Army or the status of officers or enlisted men therein, are issued by the Secretary of War through the Chief of Staff, and are communicated to troops and individuals in the military service through The Adjutant General of the Army.

The same as the existing paragraph 766.

768. The assignment of officers of the General Staff Corps to stations and duties is made upon the recommendation of the Chief of Staff.

The same as the existing paragraph 767.

769. In case of absence or disability of the Chief of Staff the senior officer of the General Staff present for duty in Washington shall act as such chief unless otherwise specially directed by the Secretary of War.

In the absence or disability of a chief of division, the senior General Staff officer of the division present for duty in Washington shall act as such chief unless otherwise specially directed by the Chief of Staff.

This is a revision of the existing paragraph 768.

770. In the performance of the duties hereinbefore enumerated, and in representation of superior authority the Chief of Staff calls for information, makes investigations, issues instructions, and exercises all other functions necessary to secure proper harmony and efficiency of action on the part of those placed under his supervision.

The same as the existing paragraph 769.

771. The two assistant chiefs of staff authorized for the General Staff Corps are detailed by the President from general officers of the line subject to the limitations imposed by section 5 of the act approved June 3, 1916. All vacancies that may occur in the General Staff Corps in grades below that of brigadier general will be filled on the recommendation of a board of five officers, constituted as prescribed in section 5 of the act approved June 3, 1916, and convened by the President at such times as may be necessary. The board will be sworn to recommend officers solely on their professional efficiency, and on their probable aptitude and fitness for General Staff service, and will select such number of officers of the proper grades to fill existing or expected vacancies, as the President may direct.

This is a revision of 773 to conform to the national-defense act.

THE GENERAL STAFF SERVING WITH TROOPS.

772. I. The general staff of a command consists of General Staff officers of such number and grades as may be assigned to it on the recommendation of the Chief of Staff.

II. The duties of the general staff of a command in the field are as follows:

(1) Working out all arrangements necessary for camping, quartering, security, movement, and battle.

(2) Preparing and communicating the necessary field or tactical orders.

(3) Intelligence duties: (a) Collection, collation, and distribution of information from all sources, including that obtained from reconnaissances of all classes, captured documents, prisoners of war, deserters, agents, spies, and also that received from the military intelligence section, Second Division, office of the Chief of Staff; (b) organization and conduct of military secret service; (c) supervision of the preparation and revision of maps of the theater of operations and distribution of the same; (d) censorship.

(4) Watching over the fighting condition of the troops, and keeping posted as to their efficiency in every respect.

(5) Keeping journals and diaries of military operations, drawing up reports of engagements, and in general collecting and preserving important military information for future use.

III. The duties of the General Staff of a territorial department are the same as those enumerated in paragraph 757 of these Regulations in so far as such duties are applicable to conditions existing within the department.

This is an amplification of the existing paragraph 770.

773. The senior General Staff officer with a command shall be the chief of staff of the command. He is primarily responsible to the commanding general for the performance of the General Staff duties enumerated in paragraphs 757 and 772 of these Regulations and in addition thereto he acts as the supervising and coordinating agent of the commanding general, bearing a relation to him in such matters analogous to that existing between the Chief of Staff of the Army and the Secretary of War. The extent to which the chief of staff of a command is to be employed as a supervisory and coordinating assistant is to be determined in each case by the commanding general. Commanding generals will be guided by the general principle that General Staff officers should be primarily employed upon duties connected with maintaining the fighting efficiency of the troops, and that, as a general rule, they should not be employed upon other duties if such other duties can be lawfully and effectively performed by administrative staff officers.

3. The Regulations, if revised as indicated above, will clearly outline an organization substantially the same as that outlined in the memorandum of the Chief of Staff, dated July 31, 1916 (WCD 633-133).

C. W. KENNEDY,

Colonel, General Staff, Acting Chief of War College Division.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, December 11, 1916.

Memorandum for the Chief of Staff.

Subject: General Staff officers needed for duty in Washington.

The Chief of Staff having called for a report in regard to the need of General Staff officers for duty in Washington, the following is submitted:

1. The act of June 3, 1916, limits the power of the President to assign officers of the General Staff to duty or stations by providing that—

Not more than one-half of all the officers detailed in said corps shall at any time be stationed or assigned to or employed upon any duty in or near the District of Columbia.

The same act increased the number of General Staff officers by 19, the increase to be made in five annual increments, beginning July 1, 1916. Prior to the act of June 3, 1916, the detailed personnel of the General Staff consisted of 36 officers: 29 of these officers were on duty in Washington.

2. The following table shows the number of detailed General Staff officers authorized previous to the present law, the number authorized after each of the five increments have been made, and the number that may be stationed in Washington:

Authorized detailed personnel of the General Staff.

Grades.	Number author- ized June 30, 1916.	Annual increments, July 1 each year.					Total author- ized in- crease.	Number author- ized July 1, 1920.	Number authorized to be stationed in Washing- ton July 1 each year. ¹				
		1916	1917	1918	1919	1920			1916	1917	1918	1919	1920
General officers.....	2	1					1	3					
Colonels.....	4	1	1	2	1	1	6	10					
Lieutenant colonels.....	6	1	1		1	1	4	10					
Majors.....	12	1		1		1	3	15					
Captains.....	12	1	1	1	1	1	5	17					
Total.....	36	5	3	4	3	4	19	55	20	22	23	25	27

¹ 29 detailed General Staff officers were stationed in Washington previous to the passage of the national defense act.

The table shows that the detailed personnel of the General Staff on duty in Washington can never, under the present law, reach its previous quota of 29. At the present time the authorized quota in Washington is only 20, including the Chief of Staff and two other general officers, assistants to the Chief of Staff, one of whom is by law president of the Army War College. Besides these general officers, only 17 detailed General Staff officers can now be stationed in that city. It has been found necessary to employ seven of these officers primarily on duty as assistants to the Chief of Staff in his supervising and coordinating capacity and in general in the transaction of other business lawfully under the supervision of the Chief of Staff other than those purely General Staff duties which are usually assigned to the present War College Division of the General Staff. This leaves only 10 General Staff officers available for the performance of those purely General Staff duties for which the General Staff Corps was especially created by law.

3. It is exceedingly important that there should be under the immediate direction of the Chief of Staff an efficient body of military advisers with adequate personnel to perform properly the duties. In entirely reorganizing our land forces, under the provisions of the national-defense act, approved June 3, 1916, many problems are brought up that require for their correct solution the concentrated effort of the General Staff Corps. The stress upon the members of the body of the General Staff on duty in Washington has been especially onerous since the passage of the act of June 3, due to the necessity of promptly formulating policies in regard to provisions of the new law as a guide for the administrative bureaus and the Army, when quick and correct action is essential. In addition to this formative work there is the extra labor consequent upon the disturbed conditions along our southern border and that imposed by the European war. New lessons are to be learned daily. We have sent observers and military attachés abroad to gather data for us, but the personnel is not available in the General Staff Corps to digest the information they are furnishing. Our country is now passing through a critical stage in its military development and the public safety demands a thorough and scientific study of defense measures. The body of officers created by law to make such studies is the General Staff Corps.

4. For purposes of specialization in General Staff duties, experience shows that permanent sections are required to do creative work. To secure the best results with the limited personnel now available it is proposed to subdivide the present War College Division into three sections, viz:

(a) Military Intelligence Section; (b) Military Operations Section; (c) Military Preparation Section, and, if sufficient personnel becomes available, to establish such additional sections as the proper development of General Staff business may require.

5. A proposed organization of the General Staff on duty at the War Department adapted to a change from peace conditions to a state of war has been set forth in considerable detail in appendixes L and M of a brochure on "Organization and administration of the War Department adapted to a change from peace to a state of war" (W. C. D. 9262-14), prepared in November, 1915, as a supplement to the "Statement of a proper military policy for the United States." It was then estimated that there should be 94 officers on duty in the War Department General Staff.

6. It is therefore evident that with the limited personnel authorized to be stationed in Washington at the present time, there is no possibility of the General Staff Corps performing in a comprehensive manner all of the important duties for which that corps was created. Questions are continually coming in from bureaus and the Army requiring decision as to policy and recommendation to the Secretary of War for action. The papers to be considered are often voluminous, and the preparing of memorandums in these matters takes up so much time that the creative work of the General Staff Corps is seriously hampered.

7. At the present time sufficient General Staff officers are not available for assignment to the study of war plans, military intelligence work, or work pertaining to the instruction and training of the Army, the National Guard, and the Reserves. The reports from our military observers and military attachés giving valuable information of the tactics, equipment, organization, and the methods employed in the present war are largely undigested. We can not utilize to the fullest extent the important information gathered abroad because we can not assign officers to the exclusive duty of reading and digesting those reports due to the lack of personnel. In many cases information requested by boards, bureaus, and the Army at large in regard to subjects on which we have much information can not be furnished because the personnel is not available to study the reports now on file.

For the same reason we can not properly attend to the work of preparing monographs and maps pertaining to foreign countries, matters which should be always kept up to date. Because of the limited personnel, the General Staff has been unable to establish a historical section, and until this is done the scientific military histories of our various wars can not be written. Our lack of a definite military policy was largely due to the fact that we are without such histories and have consequently not learned the lessons to be derived from our experience in war.

8. In view of the fact that careful study of this subject has shown that 94 General Staff officers are required for duty in the War Department General Staff to perform in a thorough manner the work

that should be done by the General Staff, it is manifest that if the 41 officers now detailed in the General Staff Corps were all on duty in Washington there would not be sufficient personnel to handle all General Staff work. Notwithstanding that the total number of detailed General Staff officers is limited by law to 41, much more could be accomplished if the restrictions were removed in regard to the number authorized to be stationed in Washington.

9. The War College Division recommended in a memorandum dated November 20, 1916 (W. C. D. 9754-11), that the Judge Advocate General be instructed to submit, as soon as practicable, draft of legislation to remove the restriction that not more than one-half of all the officers detailed in the General Staff shall at any time be stationed or assigned to or employed upon any duty in or near the District of Columbia.

C. W. KENNEDY,
Colonel, General Staff,
Acting Chief of War College Division.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, December 1, 1916.

Memorandum for the Chief of Staff.

Subject: Dissenting opinion of Maj. P. E. Pierce, General Staff.

1. While the provisions of W. C. D. 639-136, regarding changes in the Army Regulations relating to the General Staff Corps, were under consideration by the War College Division, I dissented from the omission of certain paragraphs of the original memorandum prepared by Maj. John McA. Palmer, General Staff. The majority of those present were in favor of the omission, and it was made. Before the modified copies were forwarded I left on leave of absence. On my return careful consideration was given to the amended memorandum, and I feel it my duty to call attention to certain parts that were omitted from the original.

2. Paragraphs 22 to 32, inclusive, of the memorandum as forwarded may lead to a wrong conception. Unless amplified, these paragraphs may cause the reader to think that the War College Division advocates that General Staff officers in our service should be selected only from the graduates of the Army Service Schools. This is not the intention, and in order to correct any misapprehension that may exist I ask permission to dissent from the omission by the War College Division of the following paragraphs of the original memorandum:

THE EXTENSION OF TRAINING METHODS THROUGHOUT THE ARMY.

36. While the establishment of specific tests of eligibility for General Staff officers is essential to the efficient performance of the military duties of the General Staff, to restrict such eligibility to the few graduates of the service schools would be a very incomplete solution of the problem. These officers are not eligible for the General Staff because they have graduated from the service schools, but because they have been trained and tested under the applicatory method. The true solution of the problem is to extend the facilities of the applicatory training to all officers of the Army who elect to take it, whether they are able to attend the service schools or not.

That this more extensive reform can be accomplished is indicated by the success of the correspondence course in the applicatory method which has been in operation for several years in the Navy. This course is conducted by the Naval War College. It sends out problems, with maps, charts, explanatory literature, and professional references to all officers who apply for them. It receives and corrects solutions by correspondence, and returns the corrected problems with the official War College solutions. This is perfectly feasible because the applicatory method is especially adapted to the correspondence method of instruction. This extends the advantages of modern professional training to all officers in the service, and is particularly adapted to the uses of senior officers, who are thus able to continue their tactical and strategic studies in the intervals of other duty and without the inconvenience of going to school. It also serves the very important object of extending the tactical and strategic doctrine of the Naval War College throughout the entire officer corps of the Navy.

37. Some such more liberal method is especially important in the Army, and only in this way will it be possible to require a proper standard of eligibility for the General Staff, at the same time assuring equal opportunity for all ambitious officers of the Army. The provision of a free and open competition for the General Staff should have a most stimulating effect upon the service as a whole.

38. It is therefore recommended that a correspondence course in military art be established; that this course consist of practical map problems in tactics, strategy, and troop leading covering the operations of the division and larger forces of all arms; that the facilities of this correspondence school be extended to all officers who elect to take it; that this course be announced as a preparation for a practical examination to be held annually to test the eligibility of officers for General Staff duties with troops, and that all officers who are recommended by their commanding officers as physically and morally qualified for staff duty be permitted to take this examination after such preparation as each officer may find necessary.

39. This examination should be held annually on a specified date in all posts where candidates may be stationed and should be conducted under the supervision of post commanders. The examination should be prepared under the supervision of the General Staff and should consist of a series of applicatory problems covering the tactical handling of a force of all arms, consisting of one or more Infantry divisions, and should be designed to test the practical capacity of the candidate to perform the military duties of the Chief of Staff of such a force.

40. Officers who successfully pass this examination should be regarded as eligible for General Staff duty with troops and the phrase "General Staff eligible" should be carried under their names in the Army Register. Those officers who have been specifically recommended by the Army War College or the Army Staff College as qualified for Chief of Staff of a division or larger force should be regarded as having already established their eligibility and should therefore be carried as "General Staff eligibles" without examination. Officers who fail to pass this examination should have their problems returned to them with careful criticism and advice and should be encouraged to prepare for future examination if they so desire.

41. It is believed that the method above outlined will lead to the establishment of a positive General Staff eligibility; that it will stimulate professional zeal throughout the service, and will encourage all officers of industry and ability to attain a higher professional standing. It will also tend to develop the General Staff officer as a special professional type and will differentiate a large number of officers as qualified for higher responsibility in war.

SPECIAL FUNCTION OF THE ARMY STAFF COLLEGE.

42. Under this system the Staff College should still be regarded as the normal avenue through which young officers should approach the General Staff. The examination would be especially designed to meet the requirements of the large number of senior officers who are too old for purely school duties, but upon whom the responsibility of command must first rest in any sudden emergency. The examination will also give new encouragement to many most excellent officers who have failed to qualify in the service schools through lack of sufficient preparation and for other causes beyond their control.

THE SPECIAL FUNCTION OF THE ARMY WAR COLLEGE.

43. If the methods of determining a specific General Staff eligibility as outlined above are adopted, the War College course should hereafter be regarded as a probationary tour on the General Staff and modified accordingly. Only those officers who have been definitely tested as "General Staff eligibles" should be admitted to the course, and their instruction should be based on the idea of giving them a try out in the performance of the special military duties assigned by law to the General Staff.

P. E. PIERCE,
Major, General Staff.

Forwarded. The majority of the War College Division decided to omit the foregoing paragraphs from the memorandum for the Chief of Staff because of the belief that the subjects of training and selection of General Staff officers and the character and scope of instruction at the Army Staff College and Army War College should be studied and considered separately from the subject of the organization of the General Staff as it now exists. Without now expressing any opinion on the views expressed in the omitted paragraphs, the division believes they are proper subjects for future study by the General Staff.

C. W. KENNEDY,
Colonel, General Staff,
Acting Chief of War College Division.

[Extract from Bulletin No. 18, June 5, 1916.]

GENERAL STAFF CORPS—INCREASES UNDER NATIONAL DEFENSE ACT.

With reference to section 5 of the national defense act, relating to the General Staff Corps, questions were submitted and answered as follows:

(a) Does the law with reference to the General Staff go into effect immediately upon the signing of this bill?

Answer. The law with reference to the General Staff goes into effect immediately upon signing the bill by the President (3 Ops. Atty. Gen. 82), but, as in the case of other increases in the personnel of the Army, the additional offices representing the increase in the personnel of the General Staff Corps do not become effective at once but are added in five annual increments, the first increment being added July 1, 1916, the second July 1, 1917, etc. Unless conditions arise under which the President is authorized to organize the Army immediately, or so much thereof as he may deem necessary, the additional offices representing the increase do not come into being until the periods stated from which the respective increments are to rank; that is, from July 1 of the year in which the increment is added.

(b) What will be the authorized strength of the General Staff after the bill is signed?

Answer. The authorized strength of the General Staff Corps, after the bill is signed, will be that provided by existing law until July 1, 1916, when the first increment of the increase is added.

(c) Will the law require the officers of the General Staff in excess of the number authorized for duty in Washington to be immediately relieved and assigned to duty elsewhere?

Answer. Section 5 of the act provides that—

Not more than one-half of all the officers detailed in said corps shall at any time be stationed or assigned to or employed upon any duty in or near the District of Columbia, etc.

Held, That this is general law, which became effective upon the signing of the bill.

(d) Does the provision for the details in the General Staff create vacancies as provided in section 27 of the act of February 2, 1901, upon the signing of the bill, or does this part of the bill become effective July 1, due to resulting increase in the officers? Does this increase become effective at once, or in five increments, as provided for other increases?

Answer. This provision requires that section 27 of the act of February 2, 1901, "shall apply to each position vacated by officers below the grade of general officer detailed in the General Staff Corps." It creates vacancies immediately upon the approval of the act and brings such vacancies under the operation of section 27, *supra*, but such vacancies can not be regarded as within the operation of section 24 of the act which provides that the increases in the commissioned and enlisted personnel of the Army shall be construed as specifically creating vacancies in the positions vacated by the officers comprising the existing General Staff Corps and providing for their being filled under the operation of section 27 of the act of February 2, 1901, and as to future increments to the General Staff Corps vacancies upon the detail of the officers comprising such increments. (6-310, J. A. G., May 25, 1916.)

[Extract from Bulletin No. 28, Aug. 18, 1916.]

GENERAL STAFF CORPS—NUMBER OF OFFICERS AUTHORIZED TO BE ON DUTY
IN DISTRICT OF COLUMBIA.

Section 5 of the national defense act relating to the General Staff Corps specifies the grades and number of officers thereof, all of whom shall be detailed therein for periods of four years, unless sooner relieved, and further, that "not more than one-half of all of the officers detailed in said corps shall at any time be stationed or assigned to or employed upon any duty in or near the District of Columbia."

Held, that general officers detailed to the General Staff Corps must be regarded as part of the one-half of the officers of the corps permitted to be assigned to or employed on duty in or near the District of Columbia. (6-211, J. A. G., July 25, 1916.)

[Bulletin No. 48.]

WAR DEPARTMENT,
Washington, October 20, 1916.

The following rules governing the administration of the last proviso of section 5 of the act of Congress approved June 3, 1916, known as the national defense act, which permits officers of the General Staff Corps or of Army Staff Corps or department who are promoted to the next higher grade while so serving to serve out the

periods of their detail are published for the information and guidance of all concerned:

1. No officer will be detailed to a staff corps or department, including the General Staff Corps, who has less than one year to serve in his grade before promotion.

2. No officer of any staff corps or department promoted to the next higher grade while so serving will be retained who has less than one year to serve before the expiration of his detail.

3. When a vacancy occurs in a staff corps or department among the officers regularly detailed in a grade of that staff corps, as distinguished from the surplus officers in that grade created by the application of the last proviso of section 5 of the national defense act, the vacancy will be filled by the assignment thereto of a surplus officer of that grade of that staff corps, if there be such, of the arm from which the regular detail was made.

4. The vacancy in the next lower grade caused by the disposition of a surplus officer as provided in the preceding rule, or by the expiration of the detail of a surplus officer in a higher grade, will be similarly filled, should there be surplus officers in that grade.

5. Where no surplus officer of the arm concerned exists in a grade available to fill a vacancy then the vacancy will be filled in any staff corps or department, except the General Staff Corps, as prescribed in Paragraph II, Bulletin No. 29, War Department, 1915. (2475270, A. G. O.)

BY ORDER OF THE SECRETARY OF WAR:

H. L. SCOTT,
Major General, Chief of Staff.

OFFICIAL:

H. P. MCCAIN,
The Adjutant General.

[Extract from General Orders, No. 58, Oct. 31, 1916.]

IX. 1. *General Staff.*—The duties of the General Staff in connection with military mapping will be the examination of mapping projects submitted to the Chief of Staff by the Chief of Engineers, and, where necessary, the preparation of instructions to the Chief of Engineers requiring the latter to submit projects for military map work which may be found necessary in connection with the studies carried on and the plans for military operations prepared by the General Staff. As already provided by regulations, the General Staff will be responsible for the collection and preparation of topographical data and maps of foreign countries in times of peace and, in case of operations in foreign countries, of areas remote from the theater of field operations.

In carrying out this work of compiling maps of foreign countries, the General Staff may call upon the Chief of Engineers for assistance in drafting and in reproducing maps.

2. *Chief of Engineers.*—The Chief of Engineers is charged, under the general supervision of the Chief of Staff, with the preparation of projects for military map work in the United States, including co-operation with other public and private mapping bureaus, and with preparation for carrying out such map work as may be necessary in connection with prospective military operations. Annually, before

January 1, the Chief of Engineers will submit to the Chief of Staff a project for the next fiscal year. Such additional reports may be submitted from time to time as the Chief of Engineers may see fit, or as may be called for by the Chief of Staff. At the proper time, with a view to the incorporation in the annual project, the Chief of Engineers will request of all heads of bureaus a statement as to any map work which may be required by such other bureaus, or the field services thereof, and which might profitably be undertaken as part of the general project of mapping for the Army, and such bureaus will comply with such request within one month from the date of receipt.

In accordance with this general policy, the Chief of Engineers is charged with the supervision of the technical details of surveys made under the War Department projects or orders for military map work; with the reproduction of military maps by tracing, blue print, lithography, or other methods, except of confidential maps of foreign countries or other special maps required to be made by or for the General Staff in connection with its studies; and with the custody of tracings and negatives of military maps required for reproduction except confidential maps of foreign countries and the special maps mentioned above. It will be the duty of the Chief of Engineers to furnish, on requisition approved by department commanders, copies of any maps in his custody pertaining to their territorial departments which are required for distribution to the service and, on approval of the Chief of Staff, copies of maps pertaining to other territorial departments and copies of maps required to be accumulated with a view to being available for possible military operations.

3. *Department commanders.*—Department commanders are responsible for the prompt execution of the War Department projects for map work pertaining to their territorial departments which requires the services of troops and, so far as may be practicable, they will provide, for this purpose, the necessary personnel, transportation, subsistence, and other similar requirements for the work.

For use in making up the War Department mapping project, they will submit, so as to reach the War Department annually before August 15, their recommendations in regard to the military map work to be done during the following fiscal year within their departments, listing in order of importance the various localities recommended to be mapped and the special surveys to be made. These recommendations should show map work to be done by troops and that recommended to be done by the Geological Survey and other Government bureaus or by private agencies.

4. *Department engineers.*—Department engineers, under the general supervision of department commanders, will have charge, within their territorial departments, of the map work required by War Department projects to be executed by military agencies. Upon completion of such maps, they will be forwarded direct to the Chief of Engineers.

In accordance with paragraph 784, Army Regulations, direct communication between the Chief of Engineers and department engineers, with regard to technical features of military map work, is authorized.

5. *Chief engineers.*—The duties and responsibilities of the chief engineers of territorial or tactical commands will, for the commands

to which they pertain, be similar to those outlined above for department engineers. The engineer organization assigned to divisions or higher tactical units will be equipped to make and supply the special maps needed in the conduct of operations within the sector assigned to such units. In case of operations in foreign countries, upon the completion by the Engineer Department of maps of areas within the theater of operations, all originals and such numbers of copies as may be desired, will be turned over to that section of the War Department General Staff charged with intelligence duties. (2478286, A. G. O.)

[Extract from Bulletin No. 30, May 22, 1917.]

GENERAL STAFF CORPS.

For pay of officers of the General Staff Corps, \$132,600: *Provided*, That the first paragraph of section 5 of the national defense act approved June 3, 1916, be, and the same is hereby, amended for the period of the existing emergency to read as follows:

"SEC. 5. THE GENERAL STAFF CORPS.—The General Staff Corps shall consist of one Chief of Staff, who shall be a general officer of the line and who shall take rank and precedence over all other officers of the Army; two assistants to the Chief of Staff, who shall be general officers of the line, one of whom shall be the president of the Army War College; ten colonels; twelve lieutenant colonels; thirty-two majors; and thirty-four captains, to be detailed from corresponding grades in the Army as in this section hereinafter provided. All officers detailed in the General Staff Corps shall be detailed therein for a period of four years, unless sooner relieved. While serving in the General Staff Corps, officers may be temporarily assigned to duty with any branch of the Army. Upon being relieved from duty in the General Staff Corps, officers shall return to the branch of the Army in which they hold permanent commissions, and no officer shall be eligible to a further detail in the General Staff Corps until he shall have served two years with the branch of the Army in which commissioned, except in time of actual or threatened hostilities. Section 27 of the act of Congress approved February 2, 1901, shall apply to each position vacated by officers below the grade of general officer detailed in the General Staff Corps."

Additional pay for length of service, \$38,480.

[Extract from Bulletin No. 31, May 23, 1917.]

GENERAL STAFF CORPS.

Composition of General Staff Corps.—"For pay of officers of the General Staff Corps, \$132,600: *Provided*, That the first paragraph of section 5 of the national defense act approved June 3, 1916, be, and the same is hereby, amended for the period of the existing emergency to read as follows:

"SEC. 5. THE GENERAL STAFF CORPS.—The General Staff Corps shall consist of one Chief of Staff, who shall be a general officer of the

line and who shall take rank and precedence over all other officers of the Army; two assistants to the Chief of Staff, who shall be general officers of the line, one of whom shall be the president of the Army War College; ten colonels; twelve lieutenant colonels; thirty-two majors; and thirty-four captains, to be detailed from corresponding grades in the Army as in this section hereinafter provided. All officers detailed in the General Staff Corps shall be detailed therein for a period of four years, unless sooner relieved. While serving in the General Staff Corps, officers may be temporarily assigned to duty with any branch of the Army. Upon being relieved from duty in the General Staff Corps officers shall return to the branch of the Army in which they hold permanent commissions, and no officer shall be eligible to a further detail in the General Staff Corps until he shall have served two years with the branch of the Army in which commissioned, except in time of actual or threatened hostilities. Section 27 of the act of Congress approved February 2, 1901, shall apply to each position vacated by officers below the grade of general officer detailed in the General Staff Corps.” (Page 9.)

General Staff Corps in Washington.—“*Provided further*, That the following language of section 5 of the act of June 3, 1916, entitled ‘An act for making further and more effectual provision for the national defense, and for other purposes,’ to wit: ‘Not more than one-half of all of the officers detailed in said corps shall at any time be stationed, or assigned to or employed upon any duty, in or near the District of Columbia,’ be amended so as to authorize the President to suspend the operation of the same during the existing emergency.” (Page 44.)

[Extract from Bulletin No. 74, Dec. 31, 1917.]

V. 1. There being throughout the Army a marked lack of appreciation of the importance and scope of the intelligence duties of the General Staff, particularly as pertains to troops in the field, the following analysis of the status of an Intelligence Service for our Army is promulgated. A full appreciation, acceptance, and application of the policy herein presented is enjoined upon all concerned.

2. The duties of the General Staff with troops are divisible into two general classes—those pertaining to operations under the direct charge of 2d G. S. O., and those pertaining to intelligence under the direct charge of 3d G. S. O. Paragraphs 5 and 6 and Appendix A, Staff Manual, U. S. A., 1917, give in detail the duties of the General Staff with troops.

3. In no sense is the intelligence section of a division or a corps an “information bureau.” It has little to do with information of our own forces. It deals almost exclusively with information of the enemy, which it collects, collates, and makes available for the use of the operations section in the latter’s work of preparing the plans of operation. The Intelligence Section is the normal medium through which the information of the enemy is made available for the use of our forces. The responsibility of this section is to procure and provide all available information in a form directly usable by the Operations Section. The Operations Section must in turn

base its plans upon the information provided it by the Intelligence Section.

4. A study of the scope and functioning of the Intelligence Service throughout the military organization is enjoined upon all commanding officers from company commanders upward. To accomplish this, paragraph 6 and Appendix A of the Staff Manual, U. S. A., 1917, will be carefully studied.

5. The 3d G. S. O. should be an officer of high professional abilities and experience, having the special qualifications necessary for this work.

6. The training period available must be fully utilized for developing and training the intelligence organization of all units. (322.-999, A. G. O.)

[General Orders, No. 14.]

WAR DEPARTMENT,
Washington, February 9, 1918.

I. The Chief of the General Staff, with the assistance of the War Council created under General Orders, No. 160, War Department, 1917, is the immediate adviser of the Secretary of War upon all matters relating to the Military Establishment, and is charged by the Secretary of War with the planning and development of the Army program in its entirety. He exercises such supervising and coordinating powers and secures such information as his judgment may dictate, to the end that the war policies of the Secretary of War may be harmoniously executed by the several corps, bureaus, and all other agencies of the Military Establishment, and the Army program to its last detail be carried out speedily and efficiently. The planning of the Army program in its entirety, the constant development thereof in its larger aspects, and the relating of this program to the General Staff and the entire Army will be the duty of the Chief of Staff and the War Council. The burden upon the Chief of Staff, the Assistant Chiefs of Staff, and the officers forming the General Staff in their duties in connection with the administration of the Army program by the Military Establishment has so increased that it becomes immediately necessary to organize the General Staff into responsible divisions.

Accordingly the Chief of Staff is directed to organize the General Staff into five main divisions under his direct control and to attach to the General Staff such personnel, officers, and civilians that the work of the General Staff may proceed. Each division shall be under an officer who shall have full power to act for the Secretary of War and the Chief of Staff upon all matters charged to his division. Such divisions and duties of each are as follows:

1. *Executive Division.*—This division shall take charge of the office of the Chief of Staff under an officer to be known as the executive assistant to the Chief of Staff who shall be an assistant to the Chief of Staff. The executive assistant to the Chief of Staff shall act for the Chief of Staff or the Acting Chief of Staff during their respective absences. This division shall have cognizance and control of the following subjects:

(a) To supervise the organization, administration, and methods of all divisions of the General Staff and the several bureaus, corps,

and other agencies of the War Department, to the end that all such matters may be comprehensively treated and the activities of all such agencies may be coordinated, duplication of work avoided, harmonious action secured, and all unnecessary machinery of organization and administration eliminated.

(b) The collection, compilation, and maintenance of all statistical information obtained from the several bureaus, corps, or other agencies of the Military Establishment, both as to troops and supplies, as well as all other statistical information obtained from outside sources relating to the war program for transmission to the Secretary of War, the Chief of Staff, the War Council, the General Staff, and the several divisions thereof.

(c) Military intelligence concerning espionage, counter espionage, fire prevention, and other matters thereto related. This section to be designated Military Intelligence Branch.

(d) Requisitions and permits.

(e) Promotions and assignments.

(f) The Militia Bureau and Federal guards.

2. *War Plans Division.*—This division shall undertake the study of and submit reports upon all matters referred to it from time to time by the Chief of Staff and shall be in charge of an officer designated as the Director of the War Plans Division. This officer will be an assistant to the Chief of Staff and shall be president of the War College and in charge of all activities at the War College. The duties of this division shall also include the following matters:

(a) Plans for the organization of all branches of the Army.

(b) The study and determination of the types and the quantities of equipment for all branches of the Army, and the approval of design and types of equipment submitted by the several bureaus; supervision of research and invention by the several bureaus or other agencies of the Military Establishment in connection with equipment.

(c) Projects for national defense.

(d) Training for all branches of the Army, the tactics and methods of warfare to be employed, together with all publications having relation thereto, and the supervision of military schools.

(e) The translation and compilation of foreign documents relating to military affairs.

(f) Collection, compilation, and maintenance of complete military records.

(g) Proposed legislation and the preparation of regulations and rules for the Military Establishment.

3. *Purchase and Supply Division.*—This division shall have cognizance and supervision of the purchase and production of all munitions and other supplies required for the use of the Army, under an officer designated as the Director of Purchases and Supplies, who shall be an assistant to the Chief of Staff. The duties of this division shall include the following matters:

(a) The supervision and direction of all purchase, procurement, and production activities of the several bureaus, corps, and other agencies of the War Department.

The coordination and correlation of the purchase and procurement activities of the several bureaus, corps, and other agencies of the War Department.

The representing of the Army in all arrangements for coordinating the purchase and procurement activities of the several bureaus, corps, and other agencies of the War Department with other agencies of the Government and with the Allies.

(b) The determination of purchasing and manufacturing priorities between the several bureaus, corps, and other agencies within the War Department and in relation to other agencies of the Government, and also the determination of preference to be afforded to contractors for supplies in the matter of shortage of fuel, power, and raw materials.

(c) The supervision and coordination of all appropriations, estimates, and requirements, and other financial matters relating to the purchase of munitions and all other supplies.

(d) There shall be in the Purchase and Supply Division the office of surveyor general of supplies, under an officer or a civilian.

It shall be the duty of the surveyor general of supplies to provide that all arrangements for the purchase, procurement, and production of all munitions and other supplies for the use of the Army shall be so correlated and otherwise scheduled as most effectually to forward the Army program and most advantageously utilize the industrial resources of the country.

4. *Storage and Traffic Division.*—This division shall have cognizance and control of the transportation of all branches of the Army, and of all munitions and other supplies for the Army, both by land and sea, and all storage facilities in connection therewith, under an officer designated as the Director of Storage and Traffic, who shall be an assistant to the Chief of Staff. The duties of this division shall include the following matters:

(a) All movements of troops, as well as of munitions and of supplies of every kind, including raw materials and finished products, both during manufacture and after assembly, to points of embarkation, interior points, and overseas points, and in and out of all storage.

(b) All inland traffic, embarkation service, and overseas service relating to the Army program, including the employment of all Army transports engaged in the trans-Atlantic service and such commercial shipping as may be used to supplement that service, including all arrangements with the Navy Department for convoy service.

(c) All storage for munitions and all other supplies of the Army on the seaboard and at interior points.

Direct correspondence between the Director of Storage and Traffic and the commanding officers of ports of embarkation is authorized. Copies of all requisitions, requests, and information of every character received from the commanding general of our forces in Europe, or his subordinates, which bear upon reinforcements or renewals of supplies will be transmitted to the Director of Storage and Traffic, and, in general, this officer is charged with the duty of arranging that all supplies for our forces in this country and in Europe shall be forwarded in the most expeditious and convenient manner, and to that end he is authorized to exercise control of Army shipment, both within the territory of the United States and as the same relates to the overseas haul.

The embarkation service created under Section III, General Orders, No. 102, War Department, 1917, is hereby transferred to the Storage and Traffic Division.

5. *Army Operations Division*.—This division shall have cognizance and control of Army operations under an officer who is designated as the Director of Operations, who shall be an assistant to the Chief of Staff. The duties of this division shall include the following matters:

(a) The operation of all branches of the Army, the recruitment and mobilization of the Army, the personnel of troops, the selection of special troops, the movements and distribution of troops, and the determination of all overseas priorities.

(b) The assignment of equipment to all branches of the Army and the determination of priorities with respect to such assignments.

(c) The supervision and coordination of camp sites, cantonments, Army posts, hospitals, sanitation, construction plans, and projects as the same relate to all branches of the Army.

NOTE.—The organization of the General Staff as now established by the Secretary of War and as related to the several bureaus, corps, and other agencies of the Military Establishment, is shown upon the accompanying chart published under date of February 5, 1918, by the office of the Chief of Staff.

The officer in charge of each of the five divisions of the General Staff herein created will be furnished such personnel, commissioned and civilian, and such clerical assistants as may be necessary to enable him to fully execute his duties, and each division, with the exception of the War Plans Division, will have office space in the War Department Building.

The officer in charge of each division of the General Staff is authorized to issue instructions of the Secretary of War and the Chief of Staff as to matters within his control which involve the carrying out of policies approved by the Secretary of War and the Chief of Staff, and may confer this authority to the chiefs of sections within his division.

The chiefs of the several bureaus, corps, and other agencies of the Military Establishment will cooperate to the fullest extent in the execution of this order. It will be their duty to promptly transmit all information called for as to the number and condition of troops, the condition of all equipment, munitions, and all other supplies of the Army; all arrangements for their purchase and production, and generally all information within their cognizance relating to the war program, either through the executive assistant to the Chief of Staff for the immediate use of the several divisions of the General Staff or, when ordered so to do, direct to the chief of the division of the General Staff particularly interested.

The chiefs of the several bureaus, corps, and other agencies of the Military Establishment will communicate directly with the chiefs of the several divisions of the General Staff upon all matters as to which the latter have control.

II. General Orders, No. 5, War Department, 1918, and Section IV, General Orders, No. 167, War Department, 1917, are rescinded with reference to the duties set forth in the two orders. (321.1, A. G. O.)

By order of the Secretary of War:

JOHN BIDDLE,

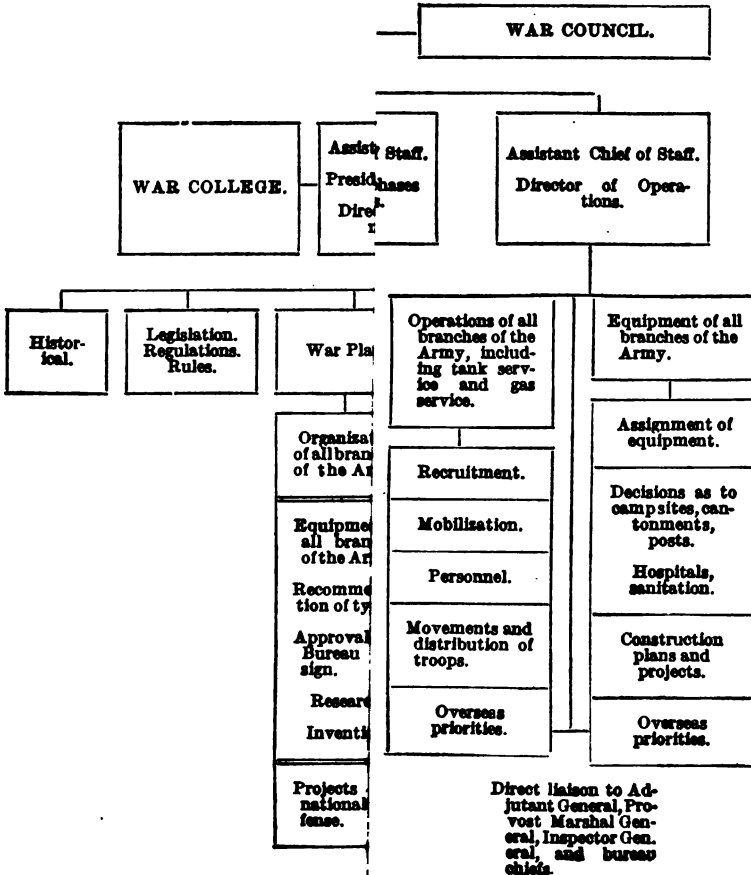
Major General, Acting Chief of Staff.

Official:

H. P. McCain,

The Adjutant General.

[G. O. 14.]



WASHINGTON, D. C., February 5, 1918.

128747—19. (To face page 18.)

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[Extract from General Orders No. 36, Apr. 16, 1918.]

II. There is hereby created in the office of the executive assistant to the Chief of Staff a coordination section of the General Staff.

This section will devise and put into active operation a practical working plan for coordinating the activities of all the divisions of the General Staff and the several bureaus, corps, and other agencies of the War Department.

It will make a careful study of the organization of all divisions of the General Staff with a view of prescribing definite delimitation of their duties.

It will make effective methods to prevent the duplication of work and to eliminate all unnecessary machinery of organization and administration. It will make a study of completed action and policies so that it can survey in a broad way the work of the General Staff and keep the Chief of Staff advised, through the executive assistant, of the work of the General Staff as a whole. It will devise methods for following up papers to secure prompt action, to cut out unnecessary paper work, and improve and standardize forms. It will make a careful study of the record systems employed in the General Staff with a view to eliminating unnecessary records and avoiding duplication of work.

This section will be responsible that all necessary information required by the General Staff is received through proper channels from all bureaus of the War Department or other agencies, so the Chief of Staff will have available at all times information as to the status of the military program.

The chiefs of the divisions of the General Staff and the heads of all bureaus of the War Department, upon application of the officers on duty in coordination section of the General Staff, will see that the necessary information is furnished so as to enable this section of the General Staff to properly perform the duties above prescribed. (321.19, A. G. O.)

[Extract from General Orders No. 41, Apr. 24, 1918.]

IV. Subparagraphs (a) and (b), paragraph 2. and subparagraph (b), paragraph 5, Section I, General Orders, No. 14, War Department, 1918, are amended as follows:

2. *War Plans Division.*—* * *

(a) Plans for the organization of all branches of the Army, including the quantities and types of such equipment as effect Tables of Organization.

(b) The supervision of research and invention in connection with equipment and war matériel, including the adoption of new types which involve changes in organization.

5. *Army Operations Division.*—* * *

(b) The study and determination of the types and quantities of equipment for all branches of the Army, the approval of design and types of equipment submitted by the several bureaus or other agencies, not involving changes in organization, regulations concerning the care and disposition of equipment, the assignment of equipment to all branches of the Army and the determination of priorities with respect to such assignment. (321.1, A. G. O.)

[Extract from General Orders No. 50, May 20, 1918.]

I. The duties of the several divisions of the General Staff (prescribed in General Orders, No. 14, War Department, 1918, as amended by Section I, General Orders, No. 36, and Section V, General Orders, No. 41, War Department, 1918) are hereby further defined as follows:

The Army Operations Division is charged with the duty of studying and determining the types and quantities of equipment and supplies for all branches of the Army.

The Division of Purchases, Storage and Traffic is charged with the duty of supervising the computation of requirements and rates of production necessary to provide types and quantities of equipment as determined by the Army Operations Division.

Statements of the types and quantities of equipment and supplies for all branches of the Army shall be furnished the several bureaus by the Army Operations Division. It shall then be the duty of the supply bureaus, under the supervision of the Division of Purchases, Storage and Traffic, to compute the requirements and rates of production necessary to provide equipment and supplies in the quantities, at the places, and within the time determined by the Army Operations Division. (321.1, A. G. O.)

[Extract from General Orders, No. 52, May 25, 1918.]

V. 1. Jurisdiction and control of all transportation for the Army having been vested in the Storage and Traffic Division (now called the Division of Purchases, Storage, and Traffic of the General Staff) under the provisions of paragraph 4, Section I, General Orders, No. 14, War Department, 1918, the director thereof was thereby, in effect, authorized to issue from time to time, through his assistants, directly to depot and other quartermasters, instructions pertaining to methods, routing, and preferential shipments of troops and supplies for the Army.

2. All persons providing transportation of troops or making shipment of supplies for or through the Quartermaster Corps and their immediate commanding officers are enjoined to comply promptly with all instructions and directions issued to them by authority of the Director of Purchases, Storage, and Traffic with reference to methods, routings, and preferential shipments of troops and supplies and all other matters pertaining to transportation of persons or stores, acknowledging receipts directly to the issuing sources, with duplicates to the Quartermaster General for his information.

(a) Methods will include the system of making packages for shipment; the use of prescribed forms, when available; the keeping of prescribed records of transportation, of shipments, and of cars; the condensing or grouping of shipments in cars; and economizing car space by loading cars to capacity or by reducing the shipping bulk of special classes of freight or otherwise.

(b) Routing will include transportation over selected routes in order to distribute the traffic and relieve congestion; distribution between freight, express, and parcel-post shipments; provided that in routing troops and property under this paragraph preference be given to land-grant lines or equalization lines when practicable.

(c) Preferential shipments will cover delaying a specified movement or shipment or class thereof until another specified movement, shipment, or class thereof shall have been made, or routing a specified movement or shipment or class thereof by a designated route.

3. Pending receipt of such instructions or directions, and thereafter when not conflicting therewith, the rules, regulations, and instructions pertaining to transportation as issued by the Quartermaster General will be strictly complied with.

4. All orders and instructions issued in compliance with this order will take precedence over all conflicting orders and instructions from whatever source. (520, A. G. O.)

[Extract from General Orders, No. 66, July 12, 1918.]

III. The commanding officer of a division or higher tactical unit is authorized to detail such general staff officers as may be necessary to provide the number prescribed in the Tables of Organization for his unit. Those who are not regularly detailed as members of the General Staff Corps by order of the War Department will be detailed by authority of the War Department for the existing emergency and will wear the insignia of the General Staff Corps, including the band of black braid on the sleeve. (210.61, A. G. O.)

[Extract from General Orders No. 69, July 30, 1918.]

IV. Section III, General Orders, No. 53, War Department, 1918, is rescinded and the following substituted therefor:

1. Induction into the military service for duty with a bureau, including the General Staff Corps, of the War Department in Washington or in offices elsewhere is authorized only in cases of men technically qualified for such duty, physically disqualified for general military service, and physically qualified for special or limited military service only, or of men in the deferred classes where such deferment has been granted on the grounds of dependency.

2. Physically qualified men, skilled in highly specialized occupations, may be inducted for duty with a bureau when it is shown that it is impossible to secure men physically qualified for special or limited service for such assignment.

3. The chief of each bureau will replace all men, within the draft age who would be classified in Class I, qualified for general military service, now assigned to such duty in Washington or in offices elsewhere, by men physically disqualified for general military service and physically qualified for special or limited military service only, or by men in the deferred classes where such deferment has been granted on the ground of dependency, by December 31, 1918, except those who are indispensable and where others not within the draft age are not available to take their places.

4. On that date the chiefs of bureaus will furnish a certificate to The Adjutant General, stating that all men then employed and not replaced who are within the draft age are indispensable, and that others not within the draft age are not available to take their places.

5. All bureaus requiring the services of men in any capacity shall make requisitions for them upon The Adjutant General of the Army, who will coordinate the demand and assign the men as needed. (201.6, A. G. O.)

[General Orders No. 80.]

WAR DEPARTMENT,
Washington, August 26, 1918.

1. The Chief of the General Staff is the immediate adviser of the Secretary of War on all matters relating to the Military Establishment, and is charged by the Secretary of War with the planning, development, and execution of the Army program. The Chief of Staff by law (act of May 12, 1917) takes rank and precedence over all officers of the Army, and by virtue of that position and by authority of and in the name of the Secretary of War he issues such orders as will insure that the policies of the War Department are harmoniously executed by the several corps, bureaus, and other agencies of the Military Establishment, and that the Army program is carried out speedily and efficiently.

The Chief of Staff will attach to the General Staff such personnel, officers, and civilians as may be necessary in order that the work of the General Staff may be efficiently performed.

The director of each division of the General Staff is authorized to issue instruction in the name of the Secretary of War and of the Chief of Staff for carrying out the policies approved by the Secretary of War and the Chief of Staff within his control.

The chiefs of the several bureaus, corps, and other agencies of the War Department are authorized to communicate directly with the directors of the several divisions of the General Staff or chiefs of branches on matters over which the latter have control.

2. The executive assistant to the Chief of Staff shall be in charge of the office of the Chief of Staff and shall act for the Chief of Staff in his temporary absence. He will have cognizance and control of the following:

(a) Organization, administration, and methods of all of the divisions of the General Staff and the several bureaus, corps, or other agencies of the War Department, to the end that the activities of all such agencies may be coordinated, duplication of work avoided, harmonious action secured, and that unnecessary machinery of organization may be eliminated.

(b) The collection for the Secretary of War, the Chief of Staff, and the General Staff of statistical information from the several bureaus, corps, or other agencies of the Military Establishment, both as to troops and supplies and from outside sources relating to the war program.

3. *Military Intelligence Division.*—This division shall have cognizance and control of military intelligence, both positive and negative, and shall be in charge of an officer designated as the director of military intelligence, who will be an assistant to the Chief of Staff. He is also the chief military censor. The duties of this division are to maintain estimates revised daily of the military situation, the economic situation, and of such other matters as the Chief of Staff

may direct, and to collect, collate, and disseminate military intelligence. It will cooperate with the intelligence section of the general staffs of allied countries in connection with military intelligence; prepare instructions in military intelligence work for the use of our forces; supervise the training of personnel for intelligence work; organize, direct, and coordinate the intelligence service; supervise the duties of military attachés; communicate direct with department intelligence officers and intelligence officers at posts, camps, and stations, and with commands in the field in matters relating to military intelligence; obtain, reproduce, and issue maps; translate foreign documents; disburse and account for intelligence funds; cooperate with the censorship board and with intelligence agencies of other departments of the Government.

4. *War Plans Division*.—(a) This division shall study and submit reports on all matters referred to it by the Chief of Staff, and shall be in charge of an officer designated as the director of the War Plans Division. This officer shall be an assistant to the Chief of Staff and shall be president of the War College. The duties of this division shall include study and reports on the following:

(1) Plans for the organization of all branches of the Army and the preparation of Tables of Organization.

(2) Research and inventions in equipment and war material.

(3) Projects for national defense.

(4) Proposed legislation and the preparation of regulations and rules for the Military Establishment.

(b) This division shall also have cognizance and control of:

(1) Training of the Army; the tactics and methods of warfare to be employed, together with all publications having relation thereto; the supervision of military education and special training; the publication of foreign documents relating to military affairs; inspection to insure efficiency and thoroughness in training and instruction throughout the Army.

(2) The collection and compilation of complete military records for historical purposes.

5. *Army Operations Division*.—This division shall have cognizance and control of Army operations under an officer, who is designated as the Director of Operations, and who shall be an assistant to the Chief of Staff. The duties of this division shall include cognizance and control of the following:

(a) The recruitment and mobilization of the Army, including the assignment and distribution of the draft; the personnel of troops; the movement and disposition of troops; the determination of all overseas priorities.

(b) The appointment, promotion, transfer, and assignment of the commissioned personnel of all branches of the Army.

(c) Camp sites, contentments, Army posts, hospitals, construction, plans, and projects for all branches of the Army except for harbor terminal facilities, including permits to build on military posts or stations, camps, or cantonments.

(d) The determination and distribution of all types and quantities of equipment and supplies of all branches of the Army, and regulations concerning the same.

(e) The design, production, procurement, reception, storage, maintenance, and replacement of all motor vehicles.

6. *Purchase, Storage, and Traffic Division.*—This division shall be in charge of an officer designated as the Director of Purchase, Storage, and Traffic, who will be an assistant to the Chief of Staff. The Director of Purchase, Storage, and Traffic shall have cognizance and control of the following:

(a) The supervision and direction of all requirements and the procurement and production activities, including real estate, of the several bureaus, corps, and other agencies of the War Department; the coordination and correlation of the requirements and the procurement and production activities of the several bureaus, corps, and other agencies of the War Department; the maintenance of the military resources of the Nation respecting material of every description; the representation of the Army in all arrangements for coordinating the requirements, procurement, and production activities in the several bureaus, corps, and other agencies of the War Department, with other agencies of the Government and with the Allies, including replacements of material pertaining to the Army with the latter; the determination of purchasing and manufacturing priorities between the several bureaus, corps, and agencies within the War Department, and in relation to other agencies of the Government; the determination of priorities to be afforded to contractors for supplies in the matter of the shortage of fuel, power, and raw material; the supervision and coordination of all fiscal accounting systems and appropriations, estimates, and requirements and other financial matters relating to the purchase of the munition and all other supplies; the supervision of the computation of the requirements and rates of production necessary to provide types and quantity of equipment, as determined by the Operations Division. Statements of the type and quantities of equipment and supplies for all branches of the Army shall be furnished the several bureaus by the Operations Division. It shall then be the duty of the Supply Bureau, under the supervision of the Director of Purchase, Storage, and Traffic to compute the requirements and rates of production necessary to provide equipment and supplies, in the quantities, at the places, and within the time determined by the Operations Division.

(b) The storing and warehousing of property for all departments, bureaus, and corps of the Army, both at interior points and at the seaboard, and the operation of all storage facilities provided for the joint use of all bureaus of the Army.

(c) All that pertains to the routing, inland and coastwise, of troops and property of the War Department by motor, rail, or ship, and the conduct of all negotiations with inland carriers with respect to questions affecting such transportation; the movement of all property of the War Department to prevent congestion and to obtain preferential movements thereof; coordination of rail movements required in the handling of supplies destined for shipment overseas with shipments by the Allies.

(d) The transportation of troops and supplies overseas; embarkation and overseas service relating to the Army program, including the employment of all Army transports, harbor floating equipment and new construction in connection therewith, except the construction and control of floating equipment operated by the Corps of Engineers for river, harbor, and fortification work, and the control of the

Army mine-planter service; such commercial shipping as may be used to supplement that service, including all arrangements with the Navy Department for convoy service; all primary ports of embarkation, expeditionary ports and concentration camps connected therewith; courier service between the War Department and General Headquarters, American Expeditionary Forces.

(e) Direct correspondence between the Director of Purchase, Storage, and Traffic or the chief of embarkation and the commanding officers of ports of embarkation is authorized. Copies of all requisitions, requests, and information of every character received from the commanding generals of forces operating overseas, or their subordinates, which bear upon reenforcements or renewals of supplies will be transmitted to the Director of Purchase, Storage and Traffic.

7. To enable the Chief of Staff to exercise the supervisory powers vested in him by statute and by the direction of the Secretary of War and in order that he may coordinate the activities of the several offices and agencies of the War Department, the following specific duties, in addition to those heretofore promulgated in Army Regulations and orders for the offices or agencies referred to, are prescribed:

(a) *Chief of Field Artillery and Chief of Coast Artillery.*—The Chief of Field Artillery and the Chief of Coast Artillery will keep the Chief of Staff advised and informed with respect to the business under their charge, including the efficiency of the personnel and material of the Field and Coast Artillery Services; they will be responsible that adequate measures are taken to prepare for overseas service the Field and Coast Artillery organizations called for by the military program. They will make recommendations to the Chief of Staff regarding matters affecting their respective arms.

The Chief of Field Artillery and the Chief of Coast Artillery, in accordance with the general policies prescribed by the Chief of Staff, will exercise direct supervision over the training of all Field and Coast Artillery units. They are authorized to correspond directly with training-camp commanders and to consult and correspond directly with bureau chiefs and heads of departments.

Matters reaching the War Department, or originating therein, which under the above regulations require action or recommendation by the Chief of Field Artillery or the Chief of Coast Artillery, will be referred to these officers. This includes reports of inspectors or other officers affecting the efficiency of Field and Coast Artillery officers.

(b) *Militia Bureau, Air Service, Chemical Warfare Service, Construction Division, and Tank Corps.*—The Chief of the Militia Bureau, the Directors of Military Aeronautics, of Aircraft Production, of the Chemical Warfare Service, the officer in charge of the Construction Division, and the Director of the Tank Corps will operate under the direct supervision of the Chief of Staff, in so far as pertains to purely military matters.

They are charged with the detailed supervision of the training of all personnel pertaining to their respective services and are responsible for the efficiency and preparedness for service of this personnel and of the matériel pertaining thereto. They will from time to time submit to the Chief of Staff such reports as may be necessary to keep him advised of the progress of the work under their charge and

such recommendations as may be necessary to promote the efficiency of their respective services and to carry out the general policies of the Secretary of War.

They are authorized to confer and to correspond directly with bureau chiefs and heads of departments in regard to technical matters pertaining to the work under their charge.

The officer in charge of the Construction Division, who shall be designated as the Chief of the Construction Division, shall communicate directly with the Director of Operations in all matters with which the latter is charged which require the action of the Chief of Staff.

8. The chiefs of the several bureaus, corps, and other agencies of the Military Establishment will cooperate to the fullest extent in the execution of this order. It will be their duty to furnish promptly all information called for by the Chief of Staff or the director of the several divisions of the General Staff.

9. This order rescinds General Orders, No. 14, War Department, 1918, as amended by Section I, General Orders, No. 36, Section IV, General Orders, No. 41, and Section I, General Orders, No. 50, War Department, 1918.

The provisions of Section V, General Orders, No. 52, War Department, 1918, are not affected by the rescinding of the above-mentioned orders. (321.1, A. G. O.)

BY ORDER OF THE SECRETARY OF WAR:

PEYTON C. MARCH,
General, Chief of Staff.

Official:

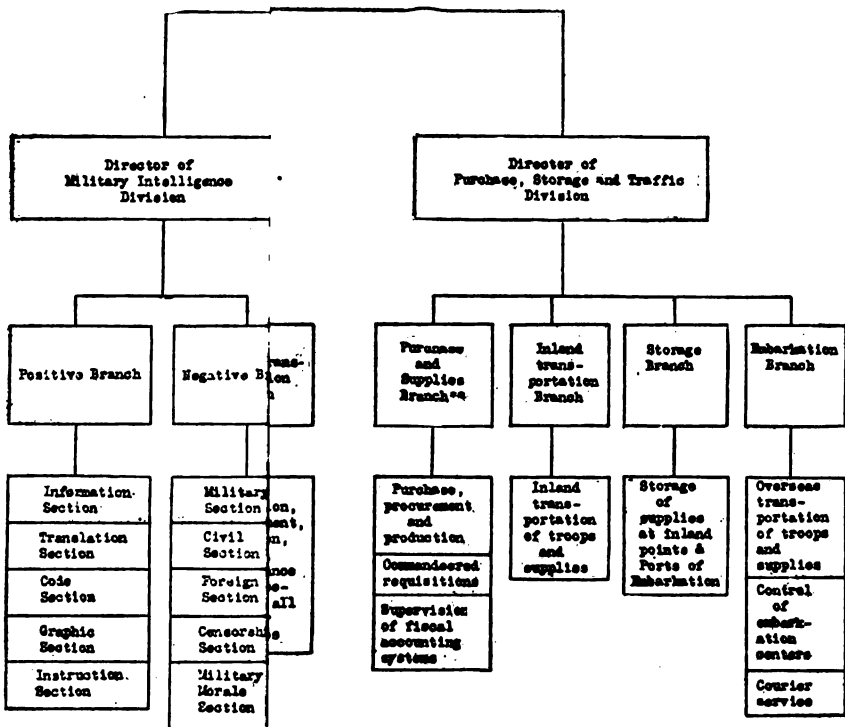
P. C. HARRIS,
Acting The Adjutant General.

[Extract from General Orders, No. 86, Sept. 18, 1918.]

III. 1. In order to carry out the provisions of subparagraph (b), paragraph 5, General Orders, No. 80, War Department, 1918, relating to General Staff duties, which assigns to the Operations Division, General Staff, "the appointment, promotion, transfer, and assignment of the commissioned personnel of all branches of the Army," there is established the commissioned personnel branch, Operations Division, General Staff, which will be formed by consolidation of (a) the commissioned personnel section, General Staff, and (b) the committee on classification of personnel of The Adjutant General's Office, together with such additional officers of the General Staff Corps and clerical force as may be assigned to it from time to time.

2. The commissioned personnel branch, Operations Division, General Staff, will be under the control of the General Staff officer, to be known as chief of the personnel branch.

3. All staff corps and departments will hereafter submit requisitions to the Operations Division, General Staff, for the number and kind of officers needed for any particular organization or duty. These requisitions will be filled in the same manner as now followed in assigning enlisted specialists. Recommendations for promotion will likewise be submitted to the Operations Division.



**Direct liaison with the Adjutant General

**Direct liaison with all supply bureaus and the War Industries Board

Washington, D.C.
March 28, 1918.

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4. The commissioned personnel branches of the various staff corps and departments, as heretofore operated, are hereby abolished and their functions and personnel, as far as may be necessary, will be taken over into the commissioned personnel branch of the General Staff. The commissioned personnel activities in the various staff corps and departments will thereafter be confined to the keeping of the necessary records to enable them to requisition, under directions of their chief, such commissioned personnel as may be required. (321.1, A. G. O.)

[Extract from General Orders, No. 94, Oct. 19, 1918.]

V. 1. There is hereby created a morale branch within the General Staff, which will be in charge of an officer designated as chief, morale branch. It will be under the executive assistant to the Chief of Staff, and will operate in general conformance with orders governing the other branches of the General Staff.

2. The general functions of the morale branch relate to the improvement of the efficiency of the soldier through the betterment of morale.

3. The morale branch shall have cognizance and control of the following:

(a) The initiation and administration of plans and measures to stimulate and maintain the morale of troops.

(b) The organization, training, coordination, and direction of all agencies, military and civil, operating within military zones, in so far as they serve to stimulate and maintain morale in the Army.

(c) Cooperation with any morale agencies of the general staffs of allied countries in connection with military morale.

(d) The supervision, coordination, and direction of activities in the various departments, corps, and bureaus of the Army for stimulating morale within their organizations or among producers of munitions.

(e) The supervision, coordination, and utilization, so far as may properly be accomplished by military authority, of all recognized civilian agencies which might contribute, directly or indirectly, to the enhancement of morale. To this end close relations will be established through the Third Assistant Secretary of War as director of civilian relation by the morale branch with all officially recognized agencies for the improvement of morale in the Army and Nation. It will not give official recognition to unrecognized voluntary agencies, though treating them with respect and consideration.

(f) The disbursing of and accounting for morale funds.

4. Direct communication by and with the morale branch on all matters concerning morale is authorized. (320.2, A. G. O.)

JULY 24, 1916.

From: The Office of the Judge Advocate General.

To: The Chief of Staff.

Subject: The lawful duties of the General Staff Corps.

1. The question of the duties of this corps with reference to their relation to the duties of the several bureaus of the department doubtless presents perhaps less difficulty in its legal than in its practical

solution. Practical delimitation of adjacent jurisdiction lying within a single field of Executive authority, definition of the jurisdictional boundary between the functions of the General Staff upon the one hand and each of the several established administrative bureaus of the War Department upon the other must, from the very nature of the subject, involve some doubt and difficulty. Fortunately, at the threshold, the statute establishes a guiding rule which, though a rule of legal construction, is at the same time a practical guide for the government of superior authority, who should be mindful to apply it in every doubtful case. The recent statute establishing and defining for the second time the duties of the General Staff Corps is, like the antecedent and original act of 1903, organic in nature, and, in addition, is remedial and corrective in its purpose. It gives clearest evidence of the conviction of Congress that the General Staff has heretofore been employed not altogether on its own proper duties, but has been diverted from them, leaving them to some extent unperformed, and has invaded and interfered with the long-established jurisdiction of the several bureaus of the department, to the consequent impairment of such bureau administration and to the detriment of general military efficiency. The primary purpose of the legislation was clearly to correct what was deemed to be a departure from established organic functions, to reestablish such functions, and to prevent future encroachments. Being corrective primarily, the statute must be construed so as fully to effect its remedial purpose. In so far as the statute invests officers of the General Staff with powers and duties in an independent field of military activity, it should be liberally construed; but whenever their powers and duties lie close to or become such as may impinge upon or affect those of an established bureau, the opposite rule of interpretation must be the one to govern. The statute must be so construed, and it ought to be so executed.

2. The duties must be found in the meaning of the language of the statute measured by that rule. The recent statute (section 5, national defense act) has to be read in comparison with section 2 of the original act of 1903 (32 Stat., 831). Both sections contain an enumeration of General Staff duties, and the later organic expression is connected with the former by a general reference to some of the general duties prescribed in the former act. The enumeration of duties in the recent act is impressively qualified by limitations and prohibitions contained in the same section which serve to give an accuracy of definition to the enumeration which the old act never had. Said section 5 provides that:

All officers detailed in said corps shall be exclusively employed [serialization mine] (a) in the study of military problems; (b) the preparation of plans for the national defense and the utilization of military forces in time of war; (c) in investigating and reporting upon the efficiency and state of preparedness of such forces for service in peace or war; (d) or on appropriate General Staff duties in connection with troops, including the National Guard; (e) or as military attachés in foreign countries; (f) or on other duties, not of an administrative nature, on which they can be lawfully and properly employed.

All the above classes of duties are described with sufficient definiteness except the concluding one. What are the other duties "on which they can be lawfully and properly employed?" Omitting

for the moment all consideration of the limitations upon the quality and character of the duties thus enumerated, these other unspecified duties are to be found by reference to the enumeration of duties in section 2 of the original act. The duties enumerated in said section 2 and not brought forward and specifically enumerated in the recent section 5 and to which therefore the general provision of the later section makes reference will be found to be these:

(ff) To render professional aid and assistance to the Secretary of War and to general officers and other superior commanders, and to act as their agents in informing and coordinating the action of all the different officers who are subject under the terms of this act to the supervision of the Chief of Staff; (fff) and to perform such other military duties not otherwise assigned by law as may be from time to time prescribed by the President.

This enumeration, then, completed by expressing what section 5 adopts by relation out of the original act, is a full enumeration of General Staff duties except as to a few detached instances not affecting this question and therefore not here considered. But the duties thus enumerated are substantially modified and qualified by the express limitation and prohibition found in the section prescribing the General Staff duties. Those qualifications are to the effect—

(1) That General Staff duties must not be of an administrative character.

(2) Specifically they must not consist of work of an administrative nature pertaining to established bureaus or offices of the department.

(3) They must be general in character.

(4) If they are not specifically enumerated, they must be of the same general nature of those that are thus enumerated.

(5) They must be such as are not assigned by law, custom, or regulation to other bureaus and officers.

(6) They must not be such as would, if performed by the General Staff, involve impairment of responsibility or initiative of such bureaus or offices or cause injurious or unnecessary duplication or delay in the work itself.

Restating then the duties of the General Staff for the purpose of clarity, they may be said to consist specifically—

(1) In the study of military problems.

(2) In the preparation of plans for the national defense and the utilization of the military forces in time of war.

(3) In the investigating and reporting upon the efficiency and state of preparedness of such forces for service in peace or war.

(4) Appropriate General Staff duties in connection with troops, including the National Guard.

(5) Duty as military attaché in foreign countries.

The duties thus far specifically enumerated seem to me to be essentially such as lie beyond the domain of bureau administration, and, therefore, as to them, there would seem to be little field of application of the qualifications mentioned. If, however, those executing this act should have a different view, they will be restrained in the assignment and performance of these duties by these same limitations; and if those specific duties can be conceived to come into contact with bureau administration, then the qualifications will mark the delimiting line.

Proceeding now, by continuing the enumeration, to those duties which by nature are such that, if not restrained by the limitations,

might in the future, as they have done in the past, encroach upon and invade the field of bureau administration, they are seen to be—

(6) Rendering professional aid and assistance to the Secretary of War and to general officers and other superior commanders, and to act as their agents in supervising, coordinating and forming the action of the different officers who are subject under the terms of this act to the supervision of the Chief of Staff.

(7) And to perform such other military duties not otherwise assigned by law as may be from time to time prescribed by the President.

Applying to these last two general classes the qualifications just mentioned, the rule is deduced that the General Staff may not render professional aid and assistance to the Secretary of War, to general officers and other superior commanders, nor act as their agents in supervising, coordinating and informing the action of the different bureaus, nor perform any other duty by special assignment unless these duties be of a nonadministrative character, not pertaining to any established bureau or office of the War Department, general in their nature, of the same general kind as those duties which have been specifically enumerated, and such as if performed by the General Staff would not involve any impairment of the initiative or responsibility of bureaus.

3. The meaning of these limitations and qualifications is not difficult to determine. The General Staff must not perform administrative duties. The term "administrative" is not one always having a fixed significance, but its meaning when used with reference to War Department affairs is one which those conversant with such affairs well understand. Those duties which by law, regulation, and established custom are, or heretofore were, habitually performed in the several bureaus or offices of the department commonly known as administrative bureaus or offices, or at the various subordinate headquarters in the same administrative field under the general direction and supervision of and with accountability to the head of the bureau, are duties of an administrative nature to which the statute refers, administrative duties as distinguished from those which are essentially and more intimately connected with military power of command. It may be remembered in passing that in addition to what is commonly understood by the term "administrative duties" the several administrative bureaus may have duties conferred upon them by statute which by reason thereof pertain to said bureau, and these duties may not be performed or interfered with by the General Staff by virtue of the express provision of the statute to that effect. Of course, the General Staff Corps is in a very real sense a superior bureau of the War Department. It has duties of the utmost importance prescribed for it by statute. The performance of those duties will render necessary considerable intrabureau administration. Such administrative duties are a necessary incident of the exercise of their own power. But beyond such administrative duties I perceive none that that corps can perform.

Duties performed by the General Staff of whatever nature must be general in character. So the statute expressly provides. If the matter be of special rather than of general interest and concern; if it be limited rather than general in its effect; if it be a matter falling within and confined to the special jurisdiction of a bureau and not

reaching directly other bureaus or the Army as a whole; if it be routine rather than of far-reaching consequence and importance; if it deal with details and specifics rather than generalities, with particular performance rather than general policy, then it is entirely clear that it is not a subject for General Staff consideration and functions.

All duties performed by special assignment or otherwise must be of the same general nature as those that are specifically enumerated. New jurisdictions and new activities may not be created for General Staff functions except in the field of general duties of the same nature as those by the statute specified, not of an administrative character, not pertaining to established bureaus or offices, not descending into detail, and not such as by their nature could be beneficially or more expeditiously performed by established bureaus or offices.

Unmistakably, whether wisely or not, Congress has sought to preserve untouched the special jurisdiction of each of the several bureaus of the War Department. It has spared no pains in limiting the powers and duties of the General Staff to matters of policy, of general concern, not falling within or directly affecting bureau jurisdiction. This it does by a reiteration which could be justified only by the apprehension that with less insistence the purpose of Congress would not be heeded, and that purpose is sealed with a drastic penalty. If, however, notwithstanding the effort of Congress to delimit clearly the boundaries of adjacent jurisdiction, there should be by reason of the nature of the subject zones of uncertainty in which the dividing line is obscure—a twilight zone in which, unaided, it could not be clearly said whether the duties fall upon one side or the other—then in such cases, as heretofore said, the statute establishes for us a guiding rule, which is in effect that in case of doubt the presumption is conclusive against General Staff jurisdiction.

4. It may be well to look on the affirmative side of those General Staff duties lying adjacent to bureau administration. The General Staff relation of rendering professional aid to the Secretary of War and superior military commanders, and of acting as their agents in supervising, coordinating, and informing the action of the different officers subject to the supervision of the General Staff, becomes limited, if not by the original act certainly by the express requirement of the recent statute, to matters of a nonadministrative character, not pertaining to a particular bureau, and involving only general policies. Such a relation or capacity does not confer the right to command or to administer an established bureau or office, or to control its details or its methods of administration. The power may be only generally exercised.

It is pertinent at this point to note the opinion of the Committee of the War College Division, as expressed in an accompanying memorandum, as follows:

It is the opinion of the committee that the organic act giving to the General Staff "supervising, coordinating, and informing powers," vests in the Chief of Staff the responsibility, power, and authority to prescribe and dictate the policy that will govern all bureaus of the War Department in their methods of administration.

The General Staff passes upon such questions of policy as are referred to it by proper authority for investigation, report, and recommendation.

The recommendation, when approved by the Chief of Staff and the Secretary of War, becomes settled policy which then governs all bureaus concerned.

This War College opinion will not stand analysis when tested by the law. By statute General Staff officers, including the chief, are made special staff agents in informing, supervising, and coordinating the action of the different bureaus, within the limitations flowing from the original act and especially within those expressed in the recent corrective legislation. This General Staff power is nevertheless but a staff power of duty, and, like all staff duty, has no inherent strength of its own. Neither can it gather aught by representation of superior authority that can enlarge its functions beyond the limitations of the statute, but must remain confined in scope and character by the express limitations of the recent act. The General Staff is not and can not be a source of military command. Its duties do not involve the power of command but they rather establish a connection between commander and commanded, a power conduit leading from and to the source. To inform, to supervise, to coordinate, is not to command, not to "dictate." To hold otherwise would deprive commanders of their inherent functions. Because of the generality of its position, the General Staff is generally informed of the operations that may be of general effect occurring within the special and limited spheres of bureau action: from its general vantage point it oversees all such operations, and, observing any lack of harmony in the general action of such limited authority which may affect general military efficiency, may devise means of coordination, and, in their capacity as professional advisors to military superiors, may address the power of command and the discretion of superior authority to secure such coordination. Neither the General Staff nor any officer thereof, including its chief, can lawfully exercise the power to dictate.

Neither can General Staff power be used to govern all bureaus of the War Department in their methods of administration. The power is concerned not with intradepartmental methods, but rather with action, the results of activity—results, and, what is more, results of a general effect. General policy confined within its proper purpose can not be concerned with mere administrative methods; and to adopt the view announced by the War College Division would be to permit the General Staff to control bureau administration of every character, to depart from and neglect their own general functions, and thus nullify the law and postpone the reform which Congress intended to inaugurate. It is the effect of the language, and must therefore have been the real purpose of the act, to reestablish the relation of the several bureau chiefs as special aids and advisors to the Secretary of War upon matters which fall within their special jurisdiction, uninterfered with by any outside agency. As a matter of organic law established or recognized by Congress, such from the beginning of the Government has been the special purpose and function of the administrative bureaus. I am well aware that bureau chiefs have in times past gone beyond these limiting functions, and equally aware that in the old days of the commanding general and in the later days of the General Staff control chiefs of bureaus have had their jurisdiction unlawfully restricted and partially absorbed by agencies having no warrant of law for their action. Whether the establishment of such special bureau control is necessary or wise is immaterial, if it can be said upon a fair consideration of the statute that it is the organic system which Congress has prescribed

and which it has so recently sought to preserve; but both candor and intellectual integrity require me to say that I can see nothing helpful to be achieved by subjecting the action of a bureau chief within the sphere of his special jurisdiction to the review of another officer of the Army whose position alone upon the General Staff is that which serves to endow him with a special knowledge of the subject which Congress has exclusively intrusted to a bureau chief, and success can hardly be expected from such incongruity. The original statute, as well as the recent one, contemplated, of course, what ordinary intelligence must appreciate, that the administrative efforts of the several bureaus must be coordinated, and must be supervised for that purpose. Such a coordination lies of necessity beyond the power and jurisdiction of any particular bureau, and must therefore be regulated by agencies outside of those bureaus. But that regulation must be achieved without absorbing any of the bureau duties, and it must be of a general kind, and have regard to matters involving policies. The coordinating, supervising, and informing powers conferred upon the General Staff must be exercised with this principle in view.

5. Coming now to the duties of the Chief of Staff, I do not believe that by virtue of any authority he has, either in his capacity as a member of the General Staff Corps or as chief of said corps, he can lawfully exercise his power so as to stand between a bureau head and the Secretary of War himself upon matters assigned by law, regulation, and custom to the administrative bureau except by laying down general rules of policy and general rules designed to coordinate the efforts of the various bureaus, nor is he ever justified in substituting in such matters his judgment for theirs. I know that the practice under the law as it existed up to the passage of the national defense act did not accord with this view. Whatever may have been said in justification of that practice heretofore, in view of the unmistakable purpose of Congress to reestablish bureau jurisdiction absorbed by the General Staff and the Chief of Staff, as is so clearly enunciated in the recent act, the practice ought not to be continued. The Chief of Staff is but a member of the General Staff Corps whose duties are the duties of that corps, except in so far as they may be found to be otherwise by section 4 of the original act, read in the light of the recent act, which establishes for him a special relation to the President and to the Secretary of War. That section is as follows:

That the Chief of Staff, under the direction of the President or of the Secretary of War, under the direction of the President, shall have supervision of all troops of the line and of the Adjutant General's, Inspector General's, Judge Advocate's, Quartermaster's, Subsistence, Medical, Pay, and Ordnance Departments, Corps of Engineers, and the Signal Corps, and shall perform such other military duties not otherwise assigned by law as may be assigned to him by the President * * *.

He is here given supervision of the line and of the staff departments. Supervision is a word of broad meaning. It may mean a direct control, or it may mean a general power of overseeing with a view to regulation through a power drawn from some other source. Supervision does not as a legal concept, when applied to matters military, carry the idea of command. The abolition of the old office of commanding general was to bring departmental organization

more in harmony with the constitutional precept that the Secretary of War, as the constitutional mouthpiece of the President, was himself the commander of the Army. Operating upon the same subject and for the same purpose as does the supervisory power of that corps, the supervision specially conferred upon the Chief of Staff must be the kind of supervision which is conferred upon other members of the General Staff who are in a sense the assistants of the Chief of Staff in the performance of his duties, though, of course, his supervisory power is of a much higher degree.

The supervisory power of the Chief of Staff to be exercised under the direction of the Secretary of War is of a general kind, does not extend to the invasion or absorption of duties of a special bureau, but is to be exercised upon general subjects in a general manner, seeking a general effect, with a general policy in view. It does not relate to particular and routine performance, it does not descend to an overseeing or minor or detailed operations. It concerns only the higher functions of command and administration and must relate to general results rather than to particular means and particular activities. I see nothing in the statute which substitutes the Chief of Staff for the several bureau chiefs as an aid and adviser to the Secretary of War concerning those matters which are committed by Congress to their special jurisdiction and control. But, on the other hand, the statute expressly provides to the contrary. Indeed, the organic act, notwithstanding the practice which grew up under it, in the very section devoted to the duties of the Chief of Staff, indicates clearly that it was never the intention to confer upon him powers and duties already assigned to the administrative bureaus, for, as one of several reasons, in a general clause following an enumeration, it is prescribed that the Chief of Staff shall "perform such other military duties not otherwise assigned by law as may be assigned to him by the President." And the recent national defense act represcribes with emphasis and particularity the same relation and enjoins that hereafter it shall be observed.

I think the true view is this, that under the statute the jurisdiction of the Chief of Staff does not absorb that of the several bureaus nor subject their action or their views upon particular matters falling within their special jurisdiction to his review and modifying judgment, but that his function is limited to that of general supervision, going no farther than to secure by the exercise of general power under the direction of the Secretary of War harmonious co-operation and successful general results. Likewise it is only in respect of such matters and for such purposes that he is the special superior advisor of the Secretary of War.

I am well aware that those matters which are within the exclusive jurisdiction of the bureau chiefs must usually, in their finality, require executive action, and that it would be absurd to hold that the Secretary of War or the Assistant Secretary must personally dictate or prescribe that action in the myriad of matters. To my mind this gives rise to no difficulty. Certainly it ought not to be urged to enlarge the duties of the Chief of Staff by requiring him, unlawfully, I think, to act ministerially and without discretion in numerous matters to the neglect of his own higher functions. If the matters are minor matters of routine, or if they are minor matters subject to government by an established general policy which has already been established for their government, it would be unwise administration to require the discretion of the Secretary of War to be addressed in the execution of such details, and in such matters only his order, evidenced ministerially by the signature of The Adjutant General or other appropriate bureau chief, is needed to give formal authenticity to his action. If the subject be of more than routine importance and yet not of general effect nor involving general policy, such an exceptional case is to be

considered by the head of the department upon the advice of the bureau chief. In all matters falling within the special jurisdiction of the several bureaus Congress has said in effect that the views of the particular bureau chiefs shall govern the Secretary so far as his own judgment is to be advised; and if the Secretary of War respects not the advice of his lawful advisors but subjects it to extra-legal review, he to that extent dispenses with the statute and the lawful medium of control, and, moreover, destroys the distribution of departmental organic powers ordained by law.

E. H. CROWDER,
Judge Advocate General.

WAR DEPARTMENT,
Washington, September 13, 1916.

Subject: Opinion by the Secretary of War on the effect of section 5 of the national defense act.

The provisions of section 5 of "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, relating to the General Staff Corps, call for an opinion from the Secretary of War as to their effect upon the transaction of the business of the department and the relations to exist in the future between the Chief of the General Staff and the heads of various bureaus of the War Department.

Section 5 provides that the General Staff Corps shall consist of one Chief of Staff, detailed in time of peace from Major Generals of the line, and various other officers, for some of whom specific duties are provided, as for instance that one of them is required to be president of the Army War College. The General Staff Corps is made a detailed corps, with the result that upon being relieved from duty in that corps officers return to the branch of the Army in which they were permanently commissioned, and no officer detailed to the General Staff Corps is eligible to a further detail therein until he shall have served two years with the branch of the Army in which commissioned, except in time of actual or threatened hostilities. Thus, the General Staff Corps is made to consist of a constantly changing detail of officers brought from the line of the Army and returned thereto, with the apparent purpose of having this corps represent and embody the opinion of the Army upon technical military subjects, as that opinion is matured and developed from time to time by actual experience, and careful provision is made against the General Staff Corps becoming a permanent body disassociated from the actual military forces of the Nation and, therefore, to a greater or less extent, out of touch with the opinion of the active Army.

So far as the duties assigned to the General Staff Corps by section 5 of the national defense act are concerned, they are covered by the following language:

All officers detailed in said corps shall be exclusively employed in the study of military problems, the preparation of plans for the national defense and the utilization of the military forces in time of war, in investigating and reporting upon the efficiency and state of preparedness of such forces for service in peace or war, or on appropriate general staff duties in connection with troops, including the National Guard, or as military attachés in foreign countries, or on other duties, not of an administrative nature, on which they can be lawfully and properly employed.

Certain redistribution of functions are made by the act, the most notable being the abolition of the Mobile Army Division and Coast Artillery Division, the latter of which is created into a bureau of the

War Department, and the business of the former is committed to the office of The Adjutant General. But scattered through this section there are statements of this import:

That the War College shall remain fully subject to the supervising, coordinating, and informing powers conferred by law upon members of the General Staff Corps.

That the bureau of The Adjutant General shall—

Subject to the exercise of the supervising, coordinating, and informing powers conferred upon members of the General Staff Corps by act of Congress last hereinbefore cited—

perform the business heretofore performed by the Mobile Army Division; and that—

The Chief of Coast Artillery shall be an additional member of the General Staff Corps and shall also be advisor to and informant of the Chief of Staff in respect to the business under his charge.

And then follows certain restrictive language which calls for this opinion. The language is as follows:

Provided further, That hereafter members of the General Staff Corps shall be confined strictly to the discharge of the duties of the general nature of those specified for them in this section and in the organic act of Congress last hereinbefore cited, and they shall not be permitted to assume or engage in work of an administrative nature that pertains to established bureaus or offices of the War Department, or that, being assumed or engaged in by members of the General Staff Corps, would involve impairment of the responsibility or initiative of such bureaus or offices, or would cause injurious or unnecessary duplication of or delay in the work thereof.

It will be observed that the section under review does not negative the survival of the "supervising, coordinating, and informing powers" conferred by law upon members of the General Staff Corps, but on the contrary, reiterates those powers, and in the transfer of certain business in the War Department from divisions abolished by the act expressly subjects those powers in the hands of the new donees to the General Staff powers either enumerated in this section or incorporated into it by reference to the act approved February 14, 1903, which created the General Staff Corps, no part of which act is in express terms repealed. It seems clear, therefore, that the new part of this legislation, namely, that restricting the work to be done by members of the General Staff Corps to work of a nonadministrative nature is the only phase of it calling for interpretation, and it is equally clear that this interpretation must proceed upon the foundation established by an understanding of the intention of Congress, as expressed in the act of February 14, 1903, which is not only the act by which the General Staff was established, but is plainly the act assumed by Congress as the fundamental and organic basis of whatever modifications are intended by section 5 of the act of June 3, 1916.

The development of a general scheme of systematic instruction in the Army, leading to the original War College Board, undoubtedly directed the attention of the Secretary of War to the general subject of Army organization. In the report for 1901, Secretary Root said:

The creation of the War College Board, and the duties which will be imposed upon it, as indicated in my report for 1899, is probably as near an approach to the establishment of a general staff as is practicable under existing law. * * *

No one can doubt that the general and field officers of our Army have been too exclusively occupied in details of administration, with inadequate opportunity and provision for the study of great questions, and consideration and formation of plans, comprehensive forethought against future contingencies, and coordination of the various branches of the service with a view to harmonious action. A body of competent military experts should be charged with these matters of the highest importance, and to that end I strongly urge the establishment by law of a general staff, of which the War College Board shall form a part.

In the annual report for 1902, Secretary Root returns to this subject, and argues it at considerable length, showing continuous improvement in Army organization, but saying:

Our military system is, however, still exceedingly defective at the top. We have a personnel unsurpassed anywhere, * * *. We have the different branches of the military service well organized, each within itself, for the performance of its duties. Our administrative staff and supply departments, as a rule, have at their heads good and competent men, faithful to their duties, each attending assiduously to the business of his department.

But when we come to the coordination and direction of all these means and agencies of warfare, so that all parts of the machine shall work true together, we are weak. Our system makes no adequate provision for the directing brain which every army must have, to work successfully. Common experience has shown that this can not be furnished by any single man without assistants, and that it requires a body of officers working together under the direction of a chief and entirely separate from and independent of the administrative staff of an army. * * * This body of officers, in distinction from the administrative staff, has come to be called a general staff.

The whole discussion of this subject by Secretary Root is informing, and in order to get an understanding of the full weight of the argument made, all that is said on that subject in his report should be examined. The following sentences, however, are indicative of the thought in his mind:

Such a body of men doing general staff duty is just as necessary to prepare an army properly for war in time of peace as it is in time of war. It is not an executive body; it is not an administrative body; it acts only through the authority of others. It makes intelligent command possible by procuring and arranging information and working out plans in detail, and it makes intelligent and effective execution of commands possible by keeping all the separate agents advised of the parts they are to play in the general scheme. * * *

The title of Chief of Staff, on the other hand, denotes a duty to advise, inform, and assist a superior officer who has command, and to represent him, acting in his name and by his authority in carrying out his policies and securing the execution of his commands. The officer who accepts the position assumes the highest obligation to be perfectly loyal to his commander, to exclude all personal interest from his advice and representation, and to try, in the most whole-hearted way, to help him to right conclusions, and to successful execution of his policies, even though his conclusions may not agree with the advice given. For the successful performance of his duties the Chief of Staff must have the entire confidence of his commander. * * *

The Constitution requires the President to be the commander of the Army, and a great variety of laws require the Secretary of War, who directly represents the President, to supervise and direct the expenditure of the vast sums of money appropriated annually by Congress for the support of the Army. As every important movement requires the use of money, so long as the Secretary of War performs this duty faithfully he must practically control the operations of the Army in time of peace, and there can not be any independent command of the Army, except that which the President himself exercises over the Secretary of War and everybody else in the military establishment. It is because Congress has always looked to the civilian Secretary at the head of the War Department to hold the purse strings, that the laws require all the great departments which build the fortifications and furnish the arms, supplies, and munitions of war, and actually expend the money for those purposes, such as the Engineer, Ordnance, Quartermaster, and Subsistence Depart-

ments, to act under the direction of the Secretary, and withhold from the officer who is called "Commanding General of the Army" all control over those departments.

Continuing the argument thus made, Secretary Root shows that the office of Commanding General of the Army and the powers conferred upon that officer were entirely inconsistent with and inadequate for the duty contemplated for the Chief of Staff, which office he sought to have established. For the latter office he desired powers of coordination, supervision, and control, in the name of the Secretary of War and under the direction of the Secretary of War, wholly different from and greater than those previously intrusted to the Commanding General of the Army.

In his report for 1903, after the passage of the act of February 14, 1903, Secretary Root says:

The important military event of the year affecting the Regular Army has been the reorganization of the system of military control under the General Staff act approved February 14, 1903. * * * This act abolished the separate office of Commanding General of the Army, provided for a military Chief of Staff to the President, who, acting under the directions of the President or of the Secretary of War representing him, should have supervision not only of all troops of the line but of the special staff and supply departments, which had theretofore reported directly to the Secretary of War; and it created for the assistance of the Chief of Staff a corps of 44 officers, who were relieved from all other duties.

After describing the mode of organization of the first General Staff Corps, Secretary Root says:

The tenth article of the regulations relating to the Chief of Staff states explicitly the new theory of control inaugurated by the General Staff act.

That new theory he quotes from the regulations to be as follows:

10. Under the act of February 14, 1903, the command of the Army of the United States rests with the constitutional Commander in Chief, the President. The President will place parts of the Army, and separate armies, whenever constituted, under commanders subordinate to his general command; and, in case of exigency seeming to him to require it, he may place the whole Army under a single commander subordinate to him; but in time of peace and under ordinary conditions the administration and control of the Army are effected without any second in command.

The President's command is exercised through the Secretary of War and the Chief of Staff. The Secretary of War is charged with carrying out the policies of the President in military affairs. He directly represents the President, and is bound always to act in conformity to the President's instructions. Under the law and the decisions of the Supreme Court his acts are the President's acts, and his directions and orders are the President's directions and orders.

The Chief of Staff reports to the Secretary of War, acts as his military adviser, receives from him the directions and orders given in behalf of the President, and gives effect thereto in the manner hereinafter provided.

Secretary Root then says, with his customary clarity and decision of expression:

It will be perceived that we are here providing for civilian control over the military arm, but for civilian control to be exercised through a single military expert of high rank, who is provided with an adequate corps of professional assistants to aid him in the performance of his duties, and who is bound to use all his professional skill and knowledge in giving effect to the purposes and general directions of his civilian superior or make way for another expert who will do so.

Commenting upon the effect of the inauguration of the system, Secretary Root says:

In some cases the intervention of the Chief of Staff and his assistants has resulted in an apparent diminution of the independent authority of other officers. This has been received almost universally with a cheerful readiness to subordinate personal considerations to the good of the service.

The act of February 14, 1903, is universally regarded as the most important piece of Army legislation adopted in recent years. It was recognized at the time as a thoroughgoing and radical change in the theory of Army control. Not unnaturally this act received very earnest consideration in Congress prior to its passage. The hearings on it were extensive, and Secretary Root, one of the foremost lawyers of the country, and one of the great Secretaries of War of modern times, in his appearances before committees illustrated and reiterated the purpose and meaning of the measure advocated by him. I have examined those hearings with some care, and I find that, without exception, witnesses and members of both House and Senate understood the purpose of the act to be as gathered from the previous quotations from the annual reports of Mr. Root, as Secretary of War. Thus, in his hearing before the Senate Committee on Military Affairs, Secretary Root says:

You have imposed by law upon the Secretary of War the responsibility for the expenditure of great sums of money which you appropriate every year, and you have established a great number of corps, bureaus, and departments which the Secretary is bound to supervise. Now, I have doubt whether it is competent for the Secretary of War to do that through the intermediation of a Chief of Staff or a General Staff unless there is some statutory authority. I do not know whether, in the face of the statute which makes the Quartermaster General and the Commissary General and the Chief of Ordnance directly responsible to the Secretary of War, I can order them to report to a Chief of Staff.

I do not want you to relieve the Secretary of War of responsibility, but I want you to enable him to discharge that responsibility through a military officer who will gather together in the performance of staff duties all the considerations affecting the decision that the Secretary has to make, and do it with military knowledge, instead of the Secretary having to dig around and gather them himself and collate the advice and requests that come from the heads of these different departments that are all overlapping and interwoven in their action.

In short, I think nothing can be clearer from the written opinions of the Secretary of War, whose suggestions are responsible for the creation of the General Staff, and from the hearings before the committees of Congress and the debates in the Congress upon the passage of the General Staff bill, than that it was intended to supply to the Secretary of War a lawfully authorized military advisor to whom all other heads of departments and bureaus should report, and through whom the Secretary of War should be constantly kept advised and informed; that it should be the duty of this officer, aided by the General Staff Corps created by the act, so as to advise himself of all operations of the military departments and bureaus of the War Department as to inform the judgment of the Secretary upon any question submitted for his decision, and by correlating, coordinating, and supervising the judgments of the various heads of bureaus and subdepartments be able to prevent a civilian Secretary of War from inadvertent error, due either to a lack of familiarity with military matters or to the vast pressure of business of many and diverse characters which too far absorb the time of the Secretary of War to permit him, personally, to undertake the detailed study necessary in each case.

It was out of this atmosphere and with this intention that the act of February, 1903, was passed, and the language adopted to meet this situation seems most apt and adequate. I quote from the Statute:

There is hereby established a General Staff Corps, to be composed of officers detailed from the Army at large, under such rules as may be prescribed by the President.

SEC. 2. That the duties of the General Staff Corps shall be to prepare plans for the national defense and for the mobilization of the military forces in time of war; to investigate and report upon all questions affecting the efficiency of the Army and its state of preparation for military operations; to render professional aid and assistance to the Secretary of War and to general officers and other superior commanders, and to act as their agents in informing and coordinating the action of all the different officers who are subject under the terms of this act to the supervision of the Chief of Staff; and to perform such other military duties not otherwise assigned by law as may be from time to time prescribed by the President.

SEC. 4. That the Chief of Staff, under the direction of the President or of the Secretary of War, under the direction of the President, shall have supervision of all troops of the line and of The Adjutant General's, Inspector General's, Judge Advocate's, Quartermaster's, Subsistence, Medical, Pay, and Ordnance Departments, the Corps of Engineers, and the Signal Corps, and shall perform such other military duties not otherwise assigned by law as may be assigned to him by the President. Duties now prescribed by statute for the Commanding General of the Army as a member of the Board of Ordnance and Fortification and of the Board of Commissioners of the Soldiers' Home shall be performed by the Chief of Staff or other officer designated by the President.

If this act means anything, it means that in large and general terms the Chief of Staff thereby authorized has supervision of the corps, bureaus, and departments therein enumerated, and the large and generous terms employed indicate the plain intention of Congress to empower the Chief of Staff to stand in the relation of military aide and advisor to the Secretary of War, and, acting in his name, so to direct the activities of the heads of bureaus and sub-departments as to coordinate and harmonize their activities.

If the large and general purpose outlined in the foregoing paragraph has been changed by the language of section 5 of the national-defense act, that change must result from these words:

All officers detailed in said corps shall be exclusively employed * * * on other duties, not of an administrative nature.

Or from these words in the proviso:

* * * and they shall not be permitted to assume or engage in work of an administrative nature that pertains to established bureaus or offices of the War Department, or that being assumed or engaged in by members of the General Staff Corps, would involve impairment of the responsibility or initiative of such bureaus or offices or would cause injurious or unnecessary duplication or of delay in the work thereof.

The weighty part of this language apparently is the prohibition upon members of the General Staff from performing duties of an administrative nature, and we are called upon therefore to determine what was meant by the words "administrative duties" in this act.

At the outset it would seem obvious that no such glancing blow as this could have been intended as an implied repeal of the whole fundamental theory of the reorganization act whereby the General Staff was created. It is fair to assume that Congress did not intend to inaugurate a race for power among bureau chiefs or to erect the

bureaus of the War Department into a system of coordinated impediments to one another. It must not be forgotten that the Army as a whole—divided for the purposes of administration into many parts—but each action by any of the parts must be consistent with the healthy action of the whole. A realization of this was the moving cause to the creation of the General Staff; and if the Congress had come to believe that its efforts to correct the evils sought to be redressed by the creation of the General Staff was a failure and that no such supervision and coordination as was then aimed at had resulted from the General Staff when created, and so believing had desired to abandon that experiment, it would not have been done by this tentative, obscure, and admonitory sentence. In other words, an evil of large proportions and menacing character had presented itself in 1903. Congress erected a new system to deal with that evil. If the system has failed and Congress is disillusioned with it as an experiment, the whole structure will be swept aside and some new corrective of the old evils attempted. But it is quite inconceivable that the Congress in any such frame of mind would merely paralyze without removing the corrective agency it had created and provide no substitute for it—restoring the old system with all of its evils and the added encumbrance of a paralyzed and inoperative machine originally designed as a corrective.

I have read the extremely able arguments which have been prepared for my consideration on this subject by the Judge Advocate General and others. To the extent that I am now disagreeing with the view therein expressed, it seems to me that my disagreement is rather one of assumption than of logic. If it be assumed that a lot of promiscuous interferences, duplications, and losses of time had grown up in the operation of the General Staff system, then the language adopted by Congress would seem to be an admonition to the Secretary of War to correct those difficulties; and to the Chief of the General Staff, recalling to his attention the primary purposes for which the General Staff was created, in order to prevent a practice growing up which would involve the operations of the General Staff in masses of detail and so far absorb its mind as to leave no leisure for the consideration of general-policy questions, which are, of course, of great moment to be considered. It seems to me that the Judge Advocate General does assume that the Congress had in mind the existence of these duplications, interferences, and losses of time, and that therefore the Congress, by the use of the word "administrative," must have intended to provide a rule which would exclude the General Staff practically from every other concern except the consideration of large policy questions. I admit that where an evil exists and a legislative enactment is addressed to it, the rule of interpretation seeks to expand the proposed remedy to accomplish the purpose for which it was designed. But the Congress had before it no catalogue of evils. No complaints were made to the Congress by the Secretary of War, who speaks with authority for the War Department, that he found himself unable to secure an adequate consideration of major-policy problems from the General Staff because Congress had imposed conflicting duties upon the General Staff. Individual officers of the Army may have undertaken to express their opinions to Members of the Congress about the exer-

cise of the coordinating functions of the General Staff, but all such opinions are necessarily partisan and partial; so that we must limit our assumption to the facts, and in so doing we find no system of facts adequate as a predicate for action by Congress which would destroy the power of the General Staff, bind the Secretary of War to rely upon the uncoordinated advice of individual bureau chiefs, and while giving the Chief of the General Staff the duty of coordinating the functions of the military bureaus of the department at the same time prohibit that degree of supervision over the affairs of those bureaus which, in his judgment, is necessary to equip him with qualifying information.

As a matter of fact, the word "administrative" is one of extremely doubtful import. Legally it perhaps means, when applied to duties, such duties as involve no exercise of discretion. That is to say, if an officer is directed by statute to pay a dollar a day to each of 10 persons, no discretion is involved in his payments—his duty is administrative. If such an officer is authorized to pay a dollar a day to so many of a group of 10 persons as shall have lived up to a certain standard of performance in duties assigned them day by day, then the discretion of determining the merit of applicants for the pay is nonadministrative, because a discretionary duty. I doubt very much, however, whether this word was used in any such technical sense. The rule of construction in such cases is that unless there is something in the context to determine that a technical meaning is attached to a term, it will be assumed to be used in the plain, ordinary, and popular meaning of the word. Now, the plain, ordinary, and popular meaning of this term in the context obviously is that the Chief of the General Staff and the members of the General Staff Corps shall not administer the offices of the bureau chiefs. That is to say, that the Chief of the General Staff shall give no order to a subordinate of the Chief of Ordnance, or The Adjutant General, for that would be the administration of that department, and such administration must proceed from the head of the department. Indeed, it seems to me entirely likely that the statute under examination provides its own definition of the meaning of the word "administrative," for it says, in effect, that these administrative duties are such as those which pertain—

* * * to established bureaus or offices of the War Department, or that, being assumed or engaged in by members of the General Staff Corps, would involve impairment of the responsibility or initiative of such bureaus or offices, or would cause injurious or unnecessary duplication of or delay in the work thereof.

These words last quoted supply all the guide necessary for a working definition of the word "administrative," and they enumerate the kind of acts which the Congress does not intend the General Staff to undertake. They are exactly the kind of acts which the original act creating the General Staff did not intend to assign to the General Staff. Secretary Root said the proposed duties are not administrative, are not executive, but are correlating, informing, supervising. So that we in effect have in this latest legislative expression a reiteration of the intentions of the Congress in the earlier act as defined and explained by the authority of the act and the policy which it embodied.

It seems to me, therefore, entirely clear that the structure erected by the act of 1903 remains as then created, except for the explicit modifications provided in the act of 1916 and not affecting the current of this argument; that the Chief of the General Staff is charged with the supervision of the various departments, bureaus, and offices of the War Department for the purpose of coordinating their activities, and for the purpose of so informing the judgment of the Secretary of War that he may not, by inadvertence or unfamiliarity with military practice, take action which would be prejudicial to harmonious results in the military service. Finding the intention of the act to be as here set forth, it is my opinion that the Chief of the General Staff is the primary advisor of the Secretary of War in all matters having to do with the military establishment; that in order properly to inform himself, the Chief of the General Staff must know of the proceedings in the various bureaus, departments, and offices; that, to as large an extent as possible, the action of these bureaus, departments, and offices should be regulated by large policies laid down by the Secretary of War, the carrying out of which would involve merely administrative activity; but in order to make sure that these policies are not being departed from or ought not to be changed, in order properly to harmonize the relations of several bureaus, it is not only appropriate but necessary for the Chief of the General Staff to pursue, with as great detail as his judgment dictates, the execution of these policies through the several bureaus.

It is easy to imagine a case in which the chief of a bureau or an officer would feel that some policy provided by the Chief of Staff in an effort to coordinate the work of several bureaus unduly restrained his activities, and that such a bureau chief would desire to argue personally for his point of view before the Secretary of War. In any such cases the Chief of Staff should secure a hearing for the bureau chief before the Secretary, and I have no doubt that any Chief of Staff or any Secretary of War would be very zealous to see that opinions earnestly entertained by officers were considered thoroughly, for, after all, we are all of us common servants with a common purpose in a common cause, and our zeal for particular branches of that service is merely a specialization of our zeal for the welfare and success of the larger whole which includes it. A recognition of this fact produced the spirit which Secretary Root referred to with so much pleasure immediately after the creation of the General Staff, in which slight irritations, due to the unaccustomed machinery, easily gave way and harmonious relations arose. This fine spirit for the public service is no less present now and will work as excellent results.

The policy of the War Department, therefore, will remain as heretofore: The Chief of Staff, speaking in the name of the Secretary of War, will coordinate and supervise the various bureaus, offices, and departments of the War Department; he will advise the Secretary of War; he will inform himself in as great detail as in his judgment seems necessary to qualify him adequately to advise the Secretary of War. Should any regulations or orders be necessary to place the determination herein made in proper form, the Chief of the General Staff will prepare them for my signature.

NEWTON D. BAKER.

SEPTEMBER 28, 1916.

Memorandum for the Secretary of War:**Subject: Duties of the Chief of Staff of a command as affected by section 5, national defense act.****1. Section 5, national defense act, provides:**

All officers detailed in said corps shall be exclusively employed in the study of military problems, the preparation of plans for the national defense and the utilization of the military forces in time of war, in investigating and reporting upon the efficiency and state of preparedness of such forces for service in peace or war, or on appropriate general staff duties in connection with troops, including the National Guard, or as military attachés in foreign countries, or on other duties, not of an administrative nature, on which they can be lawfully and properly employed.

The two essential parts of this provision, so far as it affects general staff officers assigned to duty as the chief of staff of a command, are "or on appropriate general staff duties in connection with troops * * * or on other duties, not of an administrative nature, on which they can be lawfully and properly employed." The duties of officers of the General Staff Corps assigned to duty with troops have heretofore been based on section 2 of the organic act establishing the General Staff Corps, which was as follows:

SEC. 2. That the duties of the General Staff Corps shall be to prepare plans for the national defense and for the mobilization of the military forces in time of war; to investigate and report upon all questions affecting the efficiency of the Army and its state of preparation for military operations; to render professional aid and assistance to the Secretary of War and to general officers and other superior commanders, and to act as their agents in informing and coordinating the action of all the different officers who are subject under the terms of this act to the supervision of the Chief of Staff; and to perform such other military duties not otherwise assigned by law as may be from time to time prescribed by the President.

2. The several paragraphs of the Army Regulations prescribing the duties of officers of the General Staff Corps assigned to duty with troops are as follows:

756. To officers of the General Staff Corps are committed the further duties of rendering professional aid and assistance to the Secretary of War and to general officers and other superior commanders and of acting as their agents in informing and coordinating the action of all the different officers who are subject under the provisions of law to the supervision of the Chief of Staff. They perform such other military duties not otherwise assigned by law as may from time to time be prescribed by the President. Under the authority here conferred officers of the General Staff Corps are intrusted with the executive duties hereinafter indicated.

757. Officers of the General Staff Corps assigned to duty with commanders of armies, divisions, separate brigades, and territorial departments are collectively denominated the General Staff serving with troops. They serve under the immediate orders of such commanders; those not so assigned performed duty under the immediate direction of the Chief of Staff and constitute the War Department General Staff.

758. The assignment of duties to the General Staff Corps does not involve in any degree the impairment of the initiative and responsibility which special staff corps and departments have in the transaction of current business.

770. The general staff of a command consists of General Staff officers of such number and grades as may be assigned to it on the recommendation of the Chief of Staff.

771. The senior General Staff officer on duty with a command shall, unless otherwise directed by the War Department, be the chief of staff of the command. Ordinarily he will be so assigned by the War Department.

772. The duties of the chief of staff of a command are as prescribed for officers of the General Staff Corps in paragraphs 754 to 757, and in addition he

will, under direction of the commander of the troops, perform all duties analogous to those devolved by paragraphs 762 to 769 upon the Chief of Staff of the Army. The other General Staff officers serving with troops are employed under the direction of the commanders thereof upon the duties prescribed for officers of the General Staff Corps, and they shall perform such other duties within the scope of General Staff employment as may be directed by such commanders. General Staff officers will not be assigned to other than General Staff duties, except by special authority of the War Department.

In a former memorandum it is believed to have been conclusively shown that in the performance by the Chief of Staff of the Army of the duties devolved upon him by paragraphs 762-769, Army Regulations, the Chief of Staff was in no way violating the prohibitions contained in section 5 of the national defense act with reference to performing duties of an administrative nature. The section of the national defense act heretofore quoted distinctly contemplates that officers should be detailed in the General Staff Corps "on appropriate General Staff duties in connection with troops." The reasons and argument heretofore advanced regarding the duties of the Chief of Staff of the Army as prescribed in Army Regulations 762-769 apply to the same extent to the chief of staff of a command in carrying out the provisions of the organic act "to render professional aid and assistance * * * to general officers and other superior commanders, and to act as their agents in informing and coordinating the action of all the different officers, etc."

3. It is therefore recommended that all existing regulations pertaining to the General Staff Corps be continued in effect without change.

H. L. SCOTT,
Major General, Chief of Staff.

Approved:

NEWTON D. BAKER,
Secretary of War.

JULY 27, 1916.

Memorandum for the Secretary of War.

Subject: Duties of the General Staff Corps as affected by section 5 of the national-defense act.

1. Until the passage of the organic act creating the General Staff, February 14, 1903, the varied duties of military administration, including the command of the Army, were divided into those of the military on the one hand and those of the administrative on the other, the idea being that on the one hand would be the first soldier of the land as commanding general and, on the other, a statesman as Secretary of War, each entertaining toward the other the respect which ought to belong to their exalted places, having entire confidence in each other, acting in entire harmony, each respecting the limit of authority belonging to himself and to the other; but as there could not be found any possible line of demarcation as to the functions of command, which required a large amount of administration, harmony seldom existed and conflict was almost constant, breaking out occasionally into disagreeable exposures, as when Gen. Scott removed his headquarters and went to New York; as when Gen. Sherman said he would not stay here any longer and asked permission to go to St. Louis with his headquarters. It was rare during those years that there was not constant friction between the com-

manding general and the Secretary of War. The office of the commanding general had never been established by law, his duties were not conferred by statute, and there was, therefore, no restriction upon anybody in executive departments in changing and modifying the duties of that officer whenever they pleased.

The situation made the President the Commander in Chief. He selected, with the consent of the Senate, a Secretary of War who had his confidence in the very highest degree, and there was no room between the President and the Secretary of War for another commander who was to be independent of the Secretary of War; hence there arose necessity for law to keep the entire command of the administration of the Army right in the hands of the President, where the Constitution puts it, and for an office which would be filled by an officer of high rank, who could maintain confidential and personal relations to the President and Secretary of War, supervise and co-ordinate the work of the bureaus of the War Department, and have the sanction of law for the exercise of duties and responsibilities which had never been given by law to a commanding general, and which must be exercised by one responsible head if real military progress was to be made by our country. As such responsible head must have assistants and advisers in his duties there was presented added reason for the creation of a General Staff.

2. The matter was given full consideration and careful study by the Secretary of War (Mr. Root) who, in 1902, recommended to Congress the creation of a General Staff as the most important thing to be done for the Army. He explained that our military system was defective at the top; that we had different branches of the military service well organized within themselves for the performance of their duties; at their heads good and competent men, faithful to their duties, each attending assiduously to the business of the department; but when he came to the coordination and direction of these means and agencies of warfare so that all parts of the machine could work together, he found it weak in that there was no adequate provision for the directing brain which every army must have to work successfully. Common experience would show this could not be furnished by any single man without assistance; that it required a body of officers working together under the direction of a chief of staff and entirely separate from and independent of the administrative staff of the Army, and that this body of officers, in distinction from an administrative staff, should be called the General Staff.

Mr. Root says, among other things:

It was the lack of such a body of men doing that kind of work which led to the confusion attending the Santiago expedition in the summer of 1898. The confusion at Tampa and elsewhere was the necessary result of having a large number of men, each of them doing his own special work the best he could, but without any adequate force of officers engaged in seeing that they pulled together according to detailed plans made beforehand. Such a body of men doing general staff duty is just as necessary to prepare an army properly for war in time of peace as it is in time of war. It is not an executive body; it is not an administrative body; it acts only through the authority of others. It makes intelligent command possible by procuring and arranging information and working out plans in detail, and it makes intelligent and effective execution of commands possible by keeping all the separate agents advised of the parts they are to play in the general scheme.

3. The representation of the necessity for a General Staff by the Secretary of War and the testimony of officers of high rank and ex-

perience in war times brought about the act of February 14, 1903, which established a General Staff Corps, in which section 2 prescribes the duties, section 3 the composition, and section 4 the scope of authority of the Chief of Staff.

As the scope of proposed authority for the Chief of Staff, in his report for 1902, the Secretary of War said:

In creating a general staff I think we should change the designation of the officer who we have called the Commanding General of the Army to Chief of Staff, and at the same time enlarge his powers by giving him the immediate direction of the supply departments, which are now independent of the Commanding General of the Army, and report directly to the Secretary of War.

That this was the intent and thorough understanding by Congress in enacting section 4 of the organic act referred to, is fully set forth in the hearing of which the following is an extract:

Mr. HAY. But the President is the Commander in Chief of the Army, and as such, under the Constitution, he would have complete control over the personnel of the Army, whether in the staff or in the line. Is that not true?

Mr. Root. Not in the fullest extent. Of course the action of the staff and supply departments is regulated by a great number of statutes which say that such and such things shall be done by such and such officers, and which impose specifically upon the Secretary of War such and such duties. Now, I take it, those limitations the President can not overcome.

Mr. HAY. Will this bill overcome them?

Mr. Root. Only to this extent, that it authorizes the control which is now vested in the Secretary of War to be exercised through the intermediary of the Chief of Staff.

Mr. HAY. I know, but still the Chief of Staff could do no more than the President.

Mr. Root. It does not enlarge any powers; it merely gives sanction to a way of exercising the powers. It may be that the powers could be exercised in that way.

Mr. HAY. I do not want to appear in the rôle of criticising the bill at all. I am simply asking for information. I simply want to know the effect of the bill and what we ought to do.

Mr. Root. It may be, Mr. Hay, that it would be perfectly competent for the Secretary of War to exercise the control which he is required by law to exercise over the supply departments through a chief of staff, but there are so many statutes specific and distinct on the subject that difficult questions would undoubtedly arise, and it is a great deal better that, so long as Congress has legislated so much on the subject, they should go on.

And in the following answer of Secretary Root in the hearing before the Senate Committee on Military Affairs:

Secretary Root. Yes. Now, a third thing is this: You have imposed by law upon the Secretary of War the responsibility for the expenditure of great sums of money which you appropriate every year, and you have established a great number of corps and bureaus and departments which the Secretary is bound to supervise.

Now, I doubt whether it is competent for the Secretary of War to do that through the intermediation of a chief of staff or a general staff unless there is some statutory authority. I do not know whether, in the face of the statute which makes the Quartermaster General and the Commissary General and the Chief of Ordnance responsible directly to the Secretary of War, I can order them to report to a chief of staff.

I do not want you to relieve the Secretary of War of responsibility, but I want you to enable him to discharge that responsibility through a military officer who will gather together, in the performance of staff duty, all the considerations affecting the decisions that the Secretary has to make, and do it with military knowledge, instead of the Secretary having to dig around and gather them himself, and collate the advice and requests that come from the heads of these different departments that are all overlapping and interwoven in their action.

When appearing before the Military Committee of the Senate, Lieut. Gen. Schofield, who commanded the Army for seven years as commanding general, among other things stated as follows:

Gen. SCHOFIELD. Now, I have an amendment here. I had a talk with the Secretary of War about this, and I told him what I thought should be the amendment here, and he called in his stenographer and told him to take it down, and asked me if I would not offer it to the committee myself as a result of our conversation; and I would, therefore, suggest, right in the body of my talk on this subject, that the committee incorporate an amendment of this kind, which is intended to give to the generals, as far as the Constitution of the United States will permit you to give it, all the authority that any general has ever claimed. Scott, Grant, Sherman, Sheridan, all of them, all the way down, would have been perfectly content if they could have had this, although some of them, as, for instance, Scott, would not acknowledge that they were subordinate to the Secretary at all in any respect; but, leaving out that subordination, all they wanted was this same supervision over the supply and transport departments as they had over the line, which I propose that you shall put into this. It reads as follows:

"The Chief of Staff——"

Senator FORAKER. Is that a separate section, or is it to go in somewhere?

Gen. SCHOFIELD. It will go in somewhere. It comes under the duties of chief of staff. It reads:

"The Chief of Staff——"

And you will see that I have suggested the term "chief of staff" instead of "chief of the general staff," because this makes him chief of the entire staff——

"The Chief of Staff, under the direction of the President and Secretary of War, shall have supervision and direction of all operations of the troops of the line, and the operations of the Signal Corps——

Which he has not now——

"And of the departments of supply and transportation necessary to the operations of troops——"

Senator FORAKER. Which he does not have now?

Gen. SCHOFIELD. Which he does not have now. That has been the bone of contention all along. [Continuing reading:]

"And shall perform such other duties as may be assigned to him by the President and the Secretary of War.

The amendment reads in full as follows:

"The Chief of Staff, under the direction of the President and Secretary of War, shall have supervision and direction of all operations of the troops of the line and the operations of the Signal Corps, and of the departments of supply and transportation necessary to the operations of troops, and shall perform such other duties as may be assigned to him by the President and the Secretary of War."

That last was put in as the result of our discussion. It was suggested that there might be included the Engineer and other departments, but I said.

"Better leave that to the President; if he wants them to supervise those things, he can order it."

Speaking as a soldier, and I can not speak from a better standpoint, I would say that this would put into the hands of the commander or chief of the Army authority which he ought to have.

Senator COCKRELL. Now, what would he do with the Chief of Staff, supposing we had a chief of staff instead of a commanding general in time of actual war?

Gen. SCHOFIELD. He would do one of two things, according to the necessity of the case. He would either send him right to the field to take immediate command of the Army that was to operate against the enemy, or he would increase his powers here in Washington by giving him greater discretion than he ordinarily exercises in the disposition of troops and the organization of the armies, but, above all things in the world, he would prepare, with the assistance of the General Staff, all the plans of operation so far as they could be prepared away from the field of battle, and when the time came when the President thought that he could be more useful by going to the field and taking personal command of the troops he would be sent.

If the President thought that he could be more useful in Washington preparing the general plans he would be kept here. He would be in fact as much the chief or the commanding general of the Army as a commanding general ever was in the history of our country except once, during the last year of the

Civil War, when Grant was given unlimited authority, as I said before. But with that exception, the Chief of Staff would exercise command in the same degree, and in some respects in a higher degree than ever before. He would be in effect the commander. The question is not to take away authority from the general commanding the Army, but to give it to him by law; to make a stronger man, and yet to put a curb on him by the law, and not let him sail under false colors; not to let this falsehood continue.

The answer of Congress is contained in section 4 above referred to, which reads, in part, as follows:

SEC. 4. That the Chief of Staff, under the direction of the President or of the Secretary of War, under the direction of the President, shall have supervision of all troops of the line and of the Adjutant General's, Inspector General's, Judge Advocate's, Quartermaster's, Subsistence, Medical, Pay, and Ordnance Departments, the Corps of Engineers, and the Signal Corps, and shall perform such other military duties not otherwise assigned by law as may be assigned to him by the President. * * *

The answer of Congress was clear-cut and the duties and prerogatives of the Chief of Staff have been reaffirmed in the national defense act.

4. Upon the passage of the national defense act, I caused inquiry to be made by the War College as to what duties of an administrative nature were being performed by General Staff officers on the date of the approval of that act, and whether such participation in administrative work was limited strictly to that which was necessary in the exercise of their supervising, coordinating, and informing powers, or whether it extended to the complete performance of administrative tasks. The replies of the bureaus contained in the attached report of the War College are interesting.

The Chief of Ordnance and the Chief Signal Officer had nothing to report.

The Acting Quartermaster General says:

You are advised that there is nothing of record in this office relating to queries.

The Acting Surgeon General states that the General Staff—

in a number of cases has decided such questions as the number and compensation of civilian employees (for example, contract nurses and ambulance chauffeurs) to be paid out of funds under the administrative control of the Surgeon General. It would seem that questions of that character are purely administrative and could safely be left to the Surgeon General.

This view is in error. The Chief of Staff is an advisor to the Secretary of War on all administrative and supply questions as are committed to him by the Secretary, and this is one, as it must be coordinated with civilian labor in the other bureaus. If the Surgeon General should decide to pay his chauffeurs more than the Quartermaster General desired to pay, and paid it, and the Quartermaster General should decide, in order to keep his employees, to pay more than the Surgeon General and give them a raise, appropriations would be exhausted quickly. This is a matter that must be coordinated through the Chief of Staff.

The Chief of Engineers states that—

The only duties of an administrative nature performed by General Staff officers as specifically affecting the Corps of Engineers, has been the preparing of military maps of the United States, and the distribution to the Army by the War College of certain pamphlets and documents prepared by the Corps of Engineers relating to the workings of the department.

This work was not taken up by the General Staff as a matter of administration, but with the idea of getting the maps into the hands of troops, where most needed, as promptly as possible. Steps are now being taken to place this entirely in the hands of the Chief of Engineers, where it properly belongs, and the distribution of documents with The Adjutant General. Consideration was given by the last Chief of Staff as to the advisability of turning over all distribution of documents to The Adjutant General, but that officer thought it better to leave it at the War College.

The Inspector General reports that his department has no administrative duty and is not informed as to the character of administrative work performed by officers of the General Staff.

The Chief of the Militia Bureau (until June 3, 1916, a division of the General Staff), who is an ex officio member of the General Staff, says:

It is not believed that the new legislation affecting the General Staff can in any way affect the status or duties of the Chief of the Militia Bureau.

The Adjutant General refers only to the fact of assignments and details of officers having been made through the General Staff as administrative duty and adds:

The abolition by act of June 3, 1916, of the mobile army section of the General Staff and the precise statement therein that no administrative duties are to be performed by the General Staff would seem, in my opinion, to have rendered any discussion of what took place before the passage of that act rather futile.

The full reply of The Adjutant General, to which attention is invited, requires more than a passing word. The duties of that department are set forth in Article LIX of the Army Regulations, which makes it primarily a department of records, orders, and correspondence. The claim that details and assignments should be made by that office as a matter of administration, following general rules laid down by the Chief of Staff, is erroneous. Details and assignments are executive acts of the Secretary of War of the highest importance, and the Chief of Staff is especially charged with the duty of informing the Secretary of War as to the qualification of officers as determined by their records with a view to proper selection. The administrative part consists in putting into effect the executive acts of the Secretary of War and in the publication of orders, in such matters, to the service, and in keeping the records.

From the foregoing, it is clear that in the past there have been in the opinion of those bureau chiefs charged with administrative functions, practically no administrative work performed by the General Staff. Their duties have, in the main, been limited to the supervising, coordinating, and informing powers conferred upon that body by law.

5. In the passage of the national defense act, Congress has seen proper to place certain restrictions upon the General Staff.

Not more than one-half can be employed upon any duty in or near the District of Columbia.

This has been carried into effect.

The regulations governing the selection of General Staff officers were fully carried out by the last board, and will be followed in future details.

The Mobile Army Division, the Coast Artillery Division, and the Militia Division were promptly discontinued.

The prohibition placed upon General Staff officers not engaging in work of an administrative nature pertaining to established bureaus of the War Department, or upon work that would involve impairment of the responsibility or initiative of such bureaus, or would cause unnecessary duplication or delay of work, is being carried into effect.

6. The report of the War College Division of the General Staff has been submitted to the Judge Advocate General and there is attached hereto his report on "The lawful duties of the General Staff Corps" to which your attention is especially invited.

The Judge Advocate General states:

A practical delimitation of adjacent jurisdiction lying within a single field of executive authority, definition of the jurisdictional boundary between the functions of the General Staff upon the one hand and each of the several established administrative bureaus of the War Department upon the other, must, from the very nature of the subject, involve some doubt and difficulty.

He succeeds in giving an opinion which would, in a large measure, result in the emasculation of the entire General Staff and return Army administration to the chaotic condition with which the Army was handicapped until the establishment of the General Staff Corps. The Judge Advocate General has failed to properly distinguish between duties prescribed for the General Staff as a body (sec. 3, organic act, 1903), the supervisory duties over troops and chiefs of bureaus specially conferred upon the Chief of Staff by section 4 of that act, and the recent action of Congress included in section 5 of the national defense act imposing certain restrictions upon the work which can be performed by members of the General Staff Corps in its relation to the administrative bureaus of the War Department. There is every reason to believe that the restrictions imposed by Congress in section 5 of the national defense act were simply intended to further qualify the duties prescribed for the General Staff Corps as a body under section 2 of the organic act, 1903, and in no way to modify or change the supervisory duties imposed upon the Chief of Staff in section 4 of the organic act.

As the Judge Advocate General states:

Supervision is a word of broad meaning. It may mean direct control, or it may mean a general power of overseeing with a view to regulation through a power drawn from some other source. Supervision does not as a legal concept, when applied to matters military, carry the idea of command. The abolition of the old office of commanding general was to bring departmental organization more in harmony with the constitutional precept that the Secretary of War proper, as the constitutional mouthpiece of the President, was himself the commander of the Army.

For this reason the supervisory and coordinating power of the Chief of Staff was conferred directly upon the Chief of Staff as the lawful agent of the Secretary of War. Had Congress contemplated the drastic action given in the opinion of the Judge Advocate General, it would have been written in no uncertain terms and not have required specious reasoning or preparation of a brief of demonstration and analysis to prove that such important intent had been written so obscurely and inferentially into law. It is recommended that this opinion of the Judge Advocate General be attached with other reports as an exhibit to these papers.

7. The duties of the Chief of Staff may be summarized as follows:

He acts as military adviser to the Secretary of War and he keeps him informed upon the Regular Army and upon such matters relating to the militia as are within the purview of the War Department.

The Chief of Staff under direction of the Secretary of War, supervises all staff departments and corps, all troops of the line and staff, all matters pertaining to the Regular Army and to the militia arising in the execution of acts of Congress and executive regulations made in pursuance thereof, and performs such other military duties as are assigned to him by the President. In the performance of these duties the Chief of Staff calls for information, makes investigations, and exercises all other functions necessary to secure harmony and efficiency of action upon the part of those under his supervision. This supervisory power vested by statute in the Chief of Staff covers primarily duties pertaining to the command, discipline, and recruitment of the Army, military operations, distribution of troops, inspections, armaments, fortifications, military education and instruction, including the Military Academy, and all service schools and kindred matters. It includes in an advisory capacity such duties connected with fiscal administration and supply as are committed to him by the Secretary of War.

In order that the Chief of Staff may effectively exercise the coordinating and supervisory authority vested in him by statute, annual reports of division and department commanders and bureau chiefs, as well as the annual reports of the superintendent of the Military Academy, the service schools, and other subordinate commanders, are submitted to him for consideration of the Secretary of War prior to publication. All proposed legal enactments affecting the Army, and estimates for appropriations for its support, are submitted to the Chief of Staff for consideration of the Secretary of War.

During the absence or disability of the Chief of Staff the senior assistant present for duty acts as chief.

The detail of the Chief of Staff ceases, unless sooner terminated, on the day following the expiration of the term of the service of the President by whom the detail is made, and if at any time the Chief of Staff considers he can no longer sustain toward the President and the Secretary of War a relation of absolute confidence and personal accord and sympathy, he applies to be relieved.

8. As to the future duties of the General Staff, it is believed that no further change should be made in the conduct of its important functions. Its duties can be illustrated by the supposition of an oversea expedition. It should determine how many men should be sent and proportioned to the different arms of the service, the armament and equipment. It must be informed of the defenses of the place of landing, the classes of vessels that should enter the harbor, the facilities for landing, the character of roads, the character of the country—whether it be healthful or unhealthful, the temper and sympathies of the inhabitants, the quantity and kind of supplies that could be obtained from the country. It must determine in advance where the preparations for the expedition are to be made. This must be based on a knowledge of men and material available for the execution, the points from which they are to be drawn, whether there

are ships enough to transport them, where they are to be obtained, whether they are properly fitted up, what are the available stocks of clothing, arms, ammunition, horses, wagons, supplies, and munitions necessary for the expedition, and of the things to be supplied which are not ready. This and much more it is the business of the General Staff to supply. Its performance must involve absolute coordinating of the various bureaus of the War Department, and their reports to the Chief of Staff from the basis of such coordination. Work of this character should in the future, as in the past, be considered by the War College together with all matters of policy.

9. The paramount importance of a general staff, to which the attention of the military world was effectively called by the Franco-Prussian War 46 years ago, is now universally recognized. In other first-class powers it extends not alone to the military forces of a nation but to the coordination of the civil industries for war in backing up the very life of the body politic should war become necessary for its preservation.

The present Congress is now in active consideration of appropriations aggregating \$685,343,017.27 in the cause of preparedness, that for the support of the Army for the fiscal year 1917 amounting to \$313,970,447.10.

It is my opinion that no backward step should be taken in the functions of the General Staff, but that the plain letter of the law should be observed by all; that no change be made in its duties and in the course followed in matters for presentation to the Secretary of War.

10. There is attached a memorandum giving the details of organization of the General Staff. The approval of this memorandum will carry with it the approval of the one attached.

H. L. SCOTT,
Major General, Chief of Staff.

JULY 31, 1916.

Memorandum.

The following organization and assignment to duty are prescribed for the General Staff Corps:

1. (A) OFFICE OF THE CHIEF OF STAFF.

1. The Chief of Staff.

2. The Assistant to the Chief of Staff.

3. Such officers of the General Staff Corps within the limit authorized by law necessary "to render professional aid and assistance to the Secretary of War, etc." (organic act approved Feb. 14, 1903), and "in investigating and reporting upon the efficiency and state of preparedness of such forces for service in peace and war, etc." (national-defense act approved June 3, 1916).

These officers will be designated:

1. Assistant on matters pertaining to mounted services.

2. Assistant on matters pertaining to Infantry and auxiliary foot troops.

3. Assistant on miscellaneous matters.

4. Secretary of the General Staff Corps.

The General Staff officers designated as assistants will keep the Chief of Staff thoroughly advised at all times on matters relating to personnel, stations, movements of troops, arms, training, equipment, etc., necessary for the efficiency and preparedness of the branches with which they are charged to be advised.

(B) WAR DEPARTMENT GENERAL STAFF.

1. President, Army War College.
2. All officers of the General Staff Corps on duty in Washington not assigned to the office of the Chief of Staff.

The War Department General Staff will be divided into committees on the following subjects:

(A) MILITARY OPERATIONS.

Personnel: To be assigned by the president, Army War College.

Duties: Matters relating to organization, training, and mobilization of troops; large maneuvers; joint maneuvers of Army and Navy; projects for strategical concentration; coast defense and mobile defense of coast areas; preparation of war plans, including oversea expeditions and combined operations of Army and Navy; transportation; preparation of the details of problems to be worked out by the Army War College in aid of the foregoing.

(B) MILITARY INFORMATION.

Personnel: To be assigned by the president, Army War College.

Duties: Collection, arrangement, and distribution of statistical and geographical information of military importance relating to our own and foreign countries; collection, preparation, and distribution of military maps; supervision of intelligence work in the army; supervision of military attachés and observers and editing their reports; assists in the assignment of work to the personnel of the Army War College to aid in the foregoing.

(C) MILITARY EDUCATION.

Personnel: To be assigned by the president, Army War College.

Duties: Study of policy and system of troop training, including Field Service and Drill Regulations; drafting Annual Training Bulletin; to take charge of the subject of the training and instruction of officers serving with troops and reserve officers; general supervision of the course of instruction at all military schools maintained in the Army for officers or enlisted men; the same for schools and colleges having a course of military instruction.

2. GENERAL STAFF BOARD OF DIRECTION AND REVIEW.

Personnel: The Chief of Staff, the Assistant Chief of Staff, the president of the Army War College, secretary of the General Staff (recorder).

Duties: This board will, in a general way, block out the work for the entire General Staff Corps. It will also determine the work

to be required of the personnel of the War College and outline the course to be followed. It will likewise make recommendations regarding the national military policy and necessary military legislation and other matters in general which are to be considered by the General Staff.

3. GENERAL STAFF OFFICERS FOR DUTY WITH TROOPS.

General Staff officers will be detailed for duty at each of the several department headquarters, one for duty as Chief of Staff and, when available, such assistants as found necessary. Likewise, whenever troops of the Regular Army or National Guard are organized into the higher tactical units, chiefs of staff and the necessary assistants, so far as available, will be detailed from the General Staff Corps. The senior officer of the General Staff Corps assigned to duty with the command of a general officer or other superior commander, unless otherwise directed by the Secretary of War, will be the chief of staff of the command. He will bear the same relation as adviser to the commanding general or other commanders as does the Chief of Staff to the Secretary of War, and will in like manner supervise all troops of the line and staff and all bureaus included in the command. All General Staff officers assigned to such duty will endeavor in every way to assist in carrying out the general duties prescribed by law for the General Staff Corps. General Staff officers attached to commands in the field will keep careful journals of operations, from which they will compile reports of these operations for the use of their immediate commanders and also for the information of the War Department. When a commanding general is temporarily absent from his command and his duties have not been formerly assumed by the next in rank, the chief of staff of the command will act as his representative in his absence.

4. ARMY AND WAR COLLEGE.

1. President, Army War College.
2. One General Staff officer (director).
3. Such directors, instructors, and students as may be detailed by the Secretary of War from the Army at large.

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H. L. SCOTT,
Major General, Chief of Staff.

AUGUST 11, 1916.

Memorandum for the Secretary of War.

Supplemental to my memorandum of the 27th ultimo, on the subject of the duties of the General Staff as affected by section 5 of the national defense act, I have the honor to submit the following as indicative of the intent of Congress in giving the Chief of Staff supervision of all troops of the line and of the different staff corps and departments of the War Department.

This intent is shown by the discussion as set forth in the Congressional Record of the Fifty-seventh Congress, second session, when the act approved February 14, 1903, which established a General Staff Corps, was under discussion.

In presenting the bill, the chairman of the Committee on Military Affairs of the House of Representatives (Mr. Hull) as shown on page 503, said:

* * * Mr. Speaker, the bill is not a complex one or hard to understand. It is simply for the purpose of creating a body of men without additional rank for the purpose of coordinating all the different staff corps and, in place of each one running in its own groove, reporting to the Secretary of War, and putting upon him the burden of passing on each of the questions affecting each staff corps, to have a trained body of officers take up all of these questions and report to the Secretary of War through its Chief of the General Staff. For instance, since the beginning of the Spanish War, with each of the staff corps an independent body, you have the Quartermaster and the Commissary and the Ordnance and the Engineers and all the supply and administrative departments acting in a sense as independent bureaus.

The Secretary of War, of course, has control over all, but it throws a volume of work on the Secretary of War and is impossible for anyone to properly and efficiently discharge the duties thereby imposed upon him. This coordinates all these departments. It provides for a detail of officers from the line of the Army or from the staff, from the Army at large, to take into consideration all these questions of administration, and in the event of war, all questions of the efficient discharge of the duties of the supply, administrative, and executive departments of the War Department. It seems to me that the experience of the Government has demonstrated positively the necessity of such a body of men as this.

On page 505:

Mr. HAY. And the Chief of Staff will be in a position to coordinate and bring together all the different staff departments.

We all know the trouble that we had during the Spanish War. We all know that immense supplies were taken to Florida, and that by reason of the differences in the orders issued from the various heads of departments it was impossible, sometimes for a week at a time, for the soldiers to be supplied with rations and quartermaster supplies.

Mr. STEELE. I would like to ask the gentleman if this bill does not practically eliminate the lieutenant general from the Army? In other words, would it be possible under this bill for the commanding general of the Army in time of war to have his headquarters out of Washington? The Chief of Staff by this bill must be in Washington, and the commanding general of the Army is Chief of Staff?

Mr. HAY. No; the commanding general of the Army is not Chief of Staff; this bill authorizes the President to detail any officer he pleases as Chief of Staff, and he can detail him back to the line at any moment, if he wants to do it.

It is noted that the commanding general to whom reference is made had before this been the senior general officer of the Army, and at that time a lieutenant general.

On page 534:

Mr. McCLELLAN. * * * We have in our Army to-day a great number of so-called staff departments the duties of several of which overlap. They are all independent of each other, all more or less antagonistic, without common policy or unity of purpose. It is true that the President can create a General Staff by Executive order, but were he to do so it would be equally possible for his successor to destroy it, or for him to reconsider his action and do away with it. If this bill is once enacted, there must be legislation before the principle of the General Staff can be tampered with.

Mr. ADAMS. * * * The main object of this bill is to prevent the friction which past experience has shown to exist between the various departments of the Government relating to war measures, which fault lay in the system and not in the efficiency or patriotism of the heads of the different departments.

On page 535:

Mr. HAY. Mr. Chairman, in answer to the gentleman from Iowa, I would like to say that the provision in line 13, as I understand, is just what is done now. As I understand, every officer in the Army is the agent to inform the

President and the Secretary of War about questions that they have knowledge of. The language in the bill is that the General Staff shall render professional aid and assistance to the Secretary of War and that general officers and superior commanders are to act as their agents in informing them. That is done now. If a general officer has a staff, his staff officers are his agents in the different branches of the service. An inspector general, an adjutant general, and all the different staff officers act as agents to the general in chief to inform him and to help him to coordinate the action of all the different officers engaged in carrying out the orders of the superior officer. * * *

I am talking about the General Staff, with which this bill deals; it only deals with them.

Mr. HEPBURN. But this general of the staff, as one of the gentlemen on your side has said, is in fact the commander in chief of the Army and will have the command of the Army. The commander in chief then becomes the agent of his subordinate.

Mr. HAY. He will not be the commander in chief of the Army unless the President makes him so.

Mr. HEPBURN. Yes.

Mr. HAY. Now, the commander in chief of the Army in the field is very different from the commander of the General Staff Corps.

Mr. HEPBURN. But you say that this officer becomes commander in chief when the President makes him so.

Mr. HAY. I do.

Mr. HEPBURN. Does this bill make him so?

Mr. HAY. No, sir; it does not. It makes him Chief of Staff.

On page 536:

Mr. McCLELLAN. Will the gentleman yield for a moment?

Mr. HAY. Certainly.

Mr. McCLELLAN. Is it not a fact that the chief of General Staff can be assigned to command the field Army?

Mr. HAY. Unquestionably.

Mr. HEPBURN. Will the gentleman permit a moment?

Mr. HAY. Very well.

Mr. HEPBURN. I find this confusion in the bill: In section 4 there is the following: "That the Chief of Staff, under the direction of the President and Secretary of War, shall have supervision of all troops of the line," etc. In section 3, beginning on line 6, I find "That the duties of the General Staff Corps shall be to prepare plans for the national defense and for the mobilization of the military forces in time of war," not as the aid of the President, not under his direction, but by virtue of the authority of this statute which it is proposed we shall enact, giving him this power of preparing plans and mobilizing forces.

Mr. HAY. I would ask the gentleman if preparing plans for national defense and preparing plans for mobilization is giving orders for the defense and for mobilization? The gentleman wrests from its meaning the language of the bill. He is preparing plans for doing something; he is not ordering something to be done, and in the section to which the gentleman has referred it is provided that the Chief of Staff must do all these things under direction of the President and the Secretary of War. * * *

Now, I believe that the several staff corps have done their duty as far as they could do it in our Army. I believe that they are men of high ability and that they will continue to be; but I agreed with my friend from New York [Mr. McClellan] that there ought to be some person somewhere upon whom the people of this country and the Congress could lay their hands when disastrous mistakes are made, as they have been made heretofore. For that reason and others which I gave yesterday I am in favor of this bill, and I trust that the Members will vote for it, because it is a very great stride in the interest of the efficiency of the Army.

* * * * *

Mr. PARKER. Now, our great Secretary of War has explained what our difficulty was. When the war with Spain took place we had various departments. We attempted to assemble and send troops. When we wanted to get troops we wanted to know where we would get them, from what post they could be got, from what States they could be obtained, in what condition of efficiency they would be, where they were to be sent, how they should be sent, by what vessels they should be transported, what vessels we had at our disposal. The re-

ports on all these subjects came in from five separate departments to the Secretary of War, who alone had to go over those reports and find out for himself what plan was feasible, where troops should go, and how they should be provisioned.

The Adjutant General could not order the Subsistence Department to send supplies to that particular place. The Adjutant General had to report to the Secretary of War. The Subsistence Department could not find out where troops were going except by applying to the Secretary of War. All those various reports from all those different departments, coming to one man overwhelmed him with work, so that sometimes orders having been issued for troops to go to one place, and those orders being subsequently changed, the subsistence went to the wrong place. There was no body of men to coordinate the work, to go over what had been done, and to find out what had to be done in order to make the different departments work in harmony, and to submit to the Secretary of War general plans covering all the different branches of the maintenance and transportation of troops, and the orders to go to the Army, so that the Secretary of War could act upon the plans as a whole instead of having to act on all the details that came to him and which overwhelmed his office.

On page 538:

MR. HULL. * * * There is another thing, Mr. Chairman. There has been talk as to The Adjutant General's power. It leaves The Adjutant General with his office; but he never had the training, he never had the experience, he never had the advice, he never had the authority over any of the other bureaus of the War Department. He was not the commander in chief, with all due deference to my friend from New Jersey [Mr. Parker]. He was the man who formulated the orders of the Commander in Chief. The President gave the orders, or the Secretary of War gave the orders, and every order issued by The Adjutant General was issued through the authority and by the direction of the President or the Secretary of War.

This Chief of Staff, as has been said by the gentleman from Texas [Mr. Slayden] and others, does not issue the orders; he coordinates all this information, gives it to the proper authority, and orders are issued by the Commander in Chief, so that it seems to me there is no objection to this bill and there can be no criticism of it on the ground of expenditure. * * *

It is quite clear from the foregoing that the intent of Congress was to use the word supervision with reference to the chief of staff in the ordinary meaning of the word as given in the Standard Dictionary. The Funk & Wagnalls Standard Dictionary, 1913, gives the following meaning to supervise: "To have a general oversight of, especially as an officer vested with authority," and the chief of staff was clothed with this authority by law in the supervision prescribed by section 4 of the organic act. Supervision is a military word of long use in our regulations and accords with the meaning given in the dictionary. A department commander under the regulations exercises supervision over our garrison schools. The course for garrison schools is laid down by the War Department, but he exercises control in his supervision and carries out the orders of the Secretary of War with reference to these schools. He coordinates post graduate work with a view to securing uniformity of instruction and progressive tactical training throughout his command. In the same way the chief of staff with his assistants coordinates the work of the bureaus of the War Department so as to inform and advise the bureaus of the War Department, who must conspire in the execution of the orders of the Secretary of War.

2. It was desired to obtain from the Judge Advocate General a legal opinion as to the meaning of the word administrative, as used in section 5, national defense act, in relation to the conduct of affairs of the War Department, but no such opinion on this subject has

been reached in the papers submitted by him relative to the duties of the general staff, so I shall attempt to define the question as I think it should be applied.

The New Standard Dictionary (Funk & Wagnalls), 1913, gives:

Administrative: Pertaining to or characterized by administration; executive; as, he has great administrative ability.

Administer: To have the charge or direction of (any public or private affairs); perform officially the executive duties pertaining to (any office, trust, or the like); manage; regulate; as, to administer the government; to administer the affairs of a bank.

The above meanings agree with the practice of the conduct of affairs in the War Department by which each chief of a department or corps is left administrative control of his respective department.

The Adjutant General's Department is the department of records, orders, and correspondence of the Army and of the militia. There should be no interference by the general staff with the conduct of these affairs as prescribed by law and custom in that office, or with the manner in which a recording, authenticating, and communicating of orders and instructions is carried out, other than the supervision vested by law in the chief of staff.

The Inspector General's Department is not an administrative department. Its sphere of inquiry, which includes every branch of military affairs except when specially limited in regulations or orders and its reports, are submitted for the informing and coordinating supervision of the Chief of Staff and action of the Secretary of War.

The Judge Advocate General is the custodian of records, general courts-martial, courts of inquiry and military commissions, all papers relating to the title of lands under control of the War Department except the Washington aqueduct and public buildings and grounds in the District of Columbia. The officers of that department render opinions upon legal questions when called upon by proper authority. They have no administrative functions which can be interfered with by the General Staff.

The Quartermaster Corps is charged with the duty of providing transportation, public animals, and forage, wagons, clothing, camp and garrison equipage, barracks, storehouses, and other buildings, with the construction and repair of roads, railways, bridges, buildings, and charters ships, boats, docks and wharves for military purposes, supplies subsistence, has charge of the supply and distribution and accounting of funds for the payment of the Army, and attends to all matters connected with military operations not expressly assigned to some other bureau of the War Department. As set forth in my previous memorandum, there has been no interference by the General Staff with its administrative functions. This is probably the only department which presents any opportunity for interference. In the informing and coordinating powers of the General Staff, it is necessary for it, through the Chief of Staff, to make recommendations as to the movement of troops and material of war, as to the number of public animals and transportation needed to equip various organizations; of the number of ships that may be necessary for movements by sea; for the quantity of subsistence supplies needed at any particular point, or of the amount of clothing or the type of shoe that it is desired to equip the service. Such

questions, after action of the Secretary of War, pertain entirely to the administrative functions of the Quartermaster General.

The Medical Department investigates the sanitary conditions of the Army, advises with reference to the location of camps and water supply and has the duty of caring for the sick and wounded, with furnishing of medical and hospital supplies. It is the duty of the General Staff in its informing and coordinating function to make recommendation for the number of officers and enlisted men of that corps and of equipment necessary in accompanying mobile units in the field or as to the number and location of field hospitals and ambulance companies, for action by the Secretary of War and which, after approval, is carried into execution by the Surgeon General.

In the same way I could include, with similar remarks, the Corps of Engineers, the Ordnance Department, and the Signal Corps.

The organic law makes separate and distinct provisions for the duties of the Chief of Staff, and the national defense act reaffirmed the supervisory powers of the Chief of Staff and the informing and coordinating powers of the General Staff. It does not seem possible that it could have been the intention of Congress to repeal in any way the supervision of the Chief of Staff and thus return to the Secretary of War the unfortunate conditions so much decried by Mr. Root as he found existing during the early part of his conduct of this office. It is probable that no one could be more astonished and astounded than would Congress itself to find that its carefully considered legislation of nearly 14 years ago, with reference to the supervisory duties of the Chief of Staff, had been wiped out of existence by an opinion of the Judge Advocate General upon legislation which was intended to stop any administrative functions by the General Staff, as a body, and had no reference whatever to the Chief of Staff. The full statement of Mr. Secretary Root to Congress in 1902, on the functions of the proposed general staff, is attached.

H. L. SCOTT,

Major General, Chief of Staff.

HEADQUARTERS, EASTERN DEPARTMENT,
GOVERNORS ISLAND.

New York City, August 22, 1916.

From: Department Commander.

To: The Chief of Staff.

Subject: Memorandum concerning duties of General Staff and Chief of Staff.

1. The purpose of Congress in creating the General Staff and the office of Chief of Staff was to give to the President, without diminishing his control as Commander in Chief, an instrumentality for exercising that command effectively and efficiently and through which he could coordinate the interests and activities of the line and the various staff corps and departments to the end that the Army might be maintained in the state of the highest possible efficiency. In the absence of clear and explicit declarations to the contrary it should be assumed, in view of the purpose of Congress in creating the General Staff and the office of the Chief of Staff, that the further

action of Congress as embodied in section 5 of the national defense act was to improve and strengthen that agency rather than to destroy it. Had it been the purpose of Congress to have imposed upon the Chief of Staff and the General Staff in the exercise of their duties the limitations arrived at in the opinions of the Judge Advocate General it would have done so in clear and explicit language. The phraseology of the act defines and strengthens the original legislation.

2. The substance of the conclusions arrived at by the Judge Advocate General concerning the functions of the General Staff and the limitations placed upon it by recent legislation; also the conclusion arrived at concerning the functions of the Chief of Staff and the limitations placed upon his activities are:

General Staff.—Neither can General Staff power be used to govern all bureaus of the War Department in their methods of administration. The power is concerned not with intradepartmental methods, but rather with action, the result of activity—results, and, what is more, results of a general effect. General policy confined within its proper purpose can not be concerned with mere administrative methods; and to adopt the view announced by the War College Division would be to permit the General Staff to control bureau administration of every character, to depart from and neglect their own general functions, and thus nullify the law and postpone the reform which Congress intended to inaugurate. It is the effect of the language, and must therefore have been the real purpose of the act, to reestablish the relation of the several bureau chiefs as special aids and advisers to the Secretary of War upon matters which fall within their special jurisdiction, uninterfered with by any outside agency. As a matter of organic law established or recognized by Congress, much from the beginning of the Government has been the special purpose and function of the administrative bureaus. * * * The original statute, as well as the recent one contemplated, of course, what ordinary intelligence must appreciate, that the administrative efforts of the several bureaus must be coordinated, and must be supervised for that purpose. Such a coordination lies of necessity beyond the power and jurisdiction of any particular bureau, and must therefore be regulated by agencies outside of those bureaus. But that regulation must be achieved without absorbing any of the bureau duties, and it must be of a general kind, and have regard to matters involving policies. The coordinating, supervising and informing powers conferred upon the General Staff must be exercised with this principle in view.

Chief of Staff.—I do not believe that by virtue of any authority he has, either in his capacity as a member of the General Staff Corps or as chief of said corps, he can lawfully exercise his power so as to stand between a bureau head and the Secretary of War himself upon matters assigned by law, regulation and custom to the administrative bureau except by laying down general rules of policy and general rules designed to coordinate the efforts of the various bureaus, nor is he ever justified in substituting in such matters his judgment for theirs.

3. Special attention is invited to the following extracts from the above:

It is the effect of the language, and must therefore have been the real purpose of the act, to reestablish the relation of the several bureau chiefs as special aids and advisers to the Secretary of War upon matters which fall within their special jurisdiction, uninterfered with by any outside agency.

And—

Nor is he ever justified in substituting in such matters his judgment for theirs.

In these two brief extracts we have the essentials striven for in this opinion. If these opinions are confirmed and the dictum laid down put in force the Military Establishment will promptly return to the condition of administrative chaos and inefficiency from

which it has gradually emerged since the establishment of the General Staff and the creation of the office of Chief of Staff with supervising and coordinating powers. It will be the most severe blow the effort to establish military efficiency has ever received. A condition will be established which will render military efficiency impossible, for it will place the practical control of Army matters in the hands of those whose position and duties absolutely prevent their having all around knowledge of the needs of the Army.

4. The opinion of the Judge Advocate General that "the General Staff may not render professional aid and assistance to the Secretary of War" except in matters of a general nature, needs only to be stated to carry its own refutation. The Judge Advocate General states, in the second subparagraph of paragraph 3 of his letter that "Duties performed by the General Staff of whatever nature must be general in character. So the statute expressly provides." Careful scrutiny of the act of Congress as published in Bulletin No. 16, 1916, of the War Department, does not show any provision requiring the duties of the General Staff to be of "general character." The last five lines of section 5 are as follows:

Provided further, That hereafter members of the General Staff Corps shall be confined strictly to the discharge of the duties of the general nature of those specified for them in this section of the organic act of Congress last hereinbefore cited, etc. (Act of Feb. 14, 1903.)

The correct meaning of this sentence is arrived at by substituting the words "similar to" for "of the general nature of." To read into this sentence the meaning that the duties, of whatever nature, must be general in character, is merely a labored feat of construction. The genius of efficient rules of general character is based on an intimate knowledge of details. The soundness of general regulations is tested by their effect on details. If satisfactory results are not obtained in a considerable number of cases, there is something wrong with the general rule. Supervision of duties of a general nature therefore necessarily involves consideration of details on which intelligent criticism may be based.

5. In the letter of the Chief of Staff of the Army relating to the function of the General Staff, this is discussed from the viewpoint of the intent underlying the original legislation creating the General Staff, as disclosed in the hearings which preceded the enactment of that legislation. It is evident therefrom that the purpose in the minds of the creators of the General Staff was to provide the President with an instrumentality through which to exercise his constitutional powers in the command of the Army, and this intent is so expressed in section 4 of the act of 1903. Nothing in the national defense act of 1916, either expressed or implied, can be interpreted as restricting either the President or the Secretary of War in this exercise of their powers. The national defense act prohibits the General Staff from the exercise of administrative authority. This inhibition effects no change in the function of the Chief of Staff or the General Staff as heretofore exercised. The General Staff has never exercised administrative authority. The Chief of Staff, as the representative of the Secretary of War, has exercised supervision and coordination over administrative details as the authorized adviser of the Secretary of War, and for the purpose of enabling him

to exercise intelligently the undisputed administrative authority which he has. In other words, the Chief of Staff has exercised, in accordance with the provisions of the statute, the executive authority delegated to him by the Secretary of War or the President and nothing more. The form of orders and instructions issued by the Chief of Staff in the exercise of his authorized functions clearly establishes this. They are all issued by authority of the Secretary of War and they are his, the Secretary of War's, orders and instructions to exactly the same extent that the orders and instructions signed by an A. D. C., who may be a captain of Infantry, but acting as the representative of the general commanding the Army or a territorial department, are the instructions of that superior. Every act of the Chief of Staff in the discharge of the duties of his office is subject to veto by the Secretary of War. The orders and instructions are those of the Secretary of War and no one else.

6. With respect to the decision of the Judge Advocate General of the Army on the same subject the following is noted. This decision admits the supervising, coordinating, and informing function of the General Staff, but assumes to limit the degree to which the function may be exercised to such an extent as to render it ineffective. The function is either legal or illegal, as a whole. If legal, it may be exercised. If exercised, an interpretation which seeks to place a nullifying limitation upon the effective exercise of the function is without foundation of logic or law.

7. In the closing paragraph of the decision of the Judge Advocate General of the Army, namely—

In all matters falling within the jurisdiction of the several bureaus Congress has said in effect that the views of the particular bureau chief shall govern the Secretary so far as his own judgment is to be advised; and if the Secretary of War respects not the advice of his lawful advisers but subjects it to the extra-legal review, he to that extent dispenses with the statute and the lawful medium of control, and moreover destroys the distribution of departmental organic powers ordained by law—

he presumes without warrant to dictate to the Secretary of War the source from which he shall receive professional advice in the administration of the business of the Army. The approval of such a decision by the Secretary of War would amount to a voluntary surrender of his delegated powers as Secretary of War. This decision further assumes to relegate the Chief of Staff to the position of Chief of General Staff—a limitation of the powers of that officer neither expressed in the law nor implied in the minds of those who created the office. The Chief of Staff is the military adviser and representative of the President, through the Secretary of War. He exercises such authority, either executive or administrative, as is delegated to him; and to limit him in the full exercise of the power conferred on him is to restrict the President in the exercise of his constitutional authority to command the Army.

8. Section 4 of the act approved February 14, 1903, conferred upon the Chief of Staff certain duties entirely distinct from those pertaining to his position as Chief of the General Staff. These duties involve supervision both of all troops of the line and of the staff corps and departments. No distinction was made between the character of supervision to be exercised over line troops and staff departments. The inference is plain that the supervisory power conferred upon the

Chief of Staff was intended to enable him to so direct the actions of all as to obtain the coordination necessary to military efficiency. The act under discussion in no way revokes or alters the organic act in this respect; on the contrary, it specifically states:

And subject to the exercise of the supervising, coordinating, and informing powers conferred upon members of the General Staff Corps by the act of Congress last hereinbefore cited, the business transferred by this proviso to certain bureaus or offices shall hereafter be transacted exclusively by or under direction of the respective heads thereof.

It is plain that Congress having granted certain necessary powers to the Chief of Staff and to the General Staff is desirous, not to curtail these powers in their legitimate exercise, but to prevent the exercise of powers not specifically granted. Congress has reiterated that the supervising, coordinating, and informing powers shall continue to be exercised.

9. The Judge Advocate General states:

It gives clearest evidence of the conviction of Congress that the General Staff has heretofore been employed not altogether on its own proper duties, but has been diverted from them, leaving them to some extent unperformed, and has invaded and interfered with the long-established jurisdiction of the several bureaus of the department, to the consequent impairment of such bureau administration and to the detriment of general military efficiency.

So far as there being any justifiable reason for the conclusion of the Judge Advocate General as to the conviction of Congress that the General Staff has invaded the provinces of the several bureaus, the evidence of those bureaus as repeated in paragraph 4 of the memorandum, Chief of Staff, July 27, 1916, is proof conclusive that such has not been the case, and that Congress, if such opinion has been formed, has been misled. It can not be established that there has been any improper employment of the General Staff, that it has neglected its own duties or that it has improperly invaded or interfered with the long-established jurisdiction of the several bureaus of the War Department to the consequent impairment of such bureau administration and to the detriment of general military efficiency. I do not know what evidence was presented to Congress at the hearings, but I do know that from the period of 1910 to 1914, which was the period when the Chief of Staff exercised perhaps as full a supervision as at any other time, there was no such interference nor was there any interference with military efficiency. There was a determined attempt to coordinate and supervise the various bureaus so as to bring about some semblance of a military policy and establish a condition under which the interests of the line should become the governing policy of the War Department rather than the interests of the bureaus.

10. The Chief of Staff has a dual function, one as Chief of Staff and one as Chief of the General Staff Corps. As Chief of the General Staff Corps he supervises and very largely directs the work of that portion of the corps which is stationed in Washington. He exercises little or no supervision over the work of the General Staff Corps serving at department headquarters under the direct supervision and control of the various department commanders. As Chief of Staff he acts as the representative of the Secretary of War and is vested with the power of supervision and coordination of the various staff corps. To assume that he can exercise with intelligence such super-

vision and coordination without a knowledge of what is being done in the various bureaus is to assume what is impossible. The underlying purpose in the establishment of the office of the Chief of Staff was, while continuing full ultimate control in the hands of the Secretary of War, representing the President, to give him a disinterested but well informed adviser of appropriate rank fresh from the line of the Army, one knowing its needs not from the standpoint of a bureau in Washington, but from the standpoint of actual service with troops, in command of important departments and from a general study of the whole question of Army administration from the standpoint of a line officer of command rank, one who realizes what is needed to have a well balanced, well equipped military force.

11. It is unsafe to assume that a well-conducted military establishment can be built up under a system which makes a civilian Secretary of War, uninformed on military matters until he shall have filled that position for a period sufficient to have learned all details of Army organization, administration, and tactical control, dependent upon bureau chiefs—men who have not served with troops for many years—for information concerning the needs of the Army. The function of the Chief of Staff is to coordinate these various and diverse interests and to supervise the general policy of the various departments in order that they may harmonize with the general policy as to administration of the Army as a whole the policy outlined by the General Staff but only effective when approved by the Secretary of War. The Chief of Staff is an expert adviser of the Secretary of War and sufficiently familiar with military matters to act intelligently upon the recommendation of the various bureaus and prevent the establishment of policies and practices often conflicting and prejudicial to the best interests of the Army and to the building up of an efficient military force. The Chief of Staff has a period of service limited to four years. He can not be again appointed until he has had two years' service with troops. This should apply to all bureau and staff corps. If it did the present controversial attitude of the bureaus would not exist. It is absurd to assume that the Chief of Staff can act as an expert adviser of the Secretary of War without knowing what is being done in the various departments. There has been no interference with the discharge of any proper functions of a department. The whole subject of bureau functions is a very complex one, which only long service in the Army enables one to determine. Occasional errors may be made, but the errors are few and relatively unimportant.

12. Section 5 of the national defense act defines the duties of the General Staff:

- (1) Study of military problems.
- (2) Preparation of plans for the national defense and the utilization of the military forces in time of war.
- (3) Investigating and reporting upon the efficiency and state of preparedness of such forces for service in peace or war.
- (4) Appropriate general staff duties in connection with troops, including the National Guard.
- (5) As military attachés in foreign countries.
- (6) On other duties, not of an administrative nature, on which they can be lawfully and properly employed.

13. The "organic act" referred to in the above section 5 contains the following with reference to the duties of members of the General Staff:

(a) To render professional aid and assistance to the Secretary of War and to general officers and other superior commanders, and to act as their agents in informing and coordinating the action of all the different officers who are subject under the terms of this act to the supervision of the Chief of Staff.

(b) To perform such other military duties not otherwise assigned by law as may be from time to time prescribed by the President.

14. Section 5 of the national defense act contains also the following limitations upon the duties of the members of the General Staff:

(1) They shall not be permitted to assume or engage in work of an administrative nature that pertains to establish bureaus or offices of the War Department.

(2) Or that, being assumed or engaged in by members of the General Staff Corps would involve impairment of the responsibility or initiative of such bureaus or offices.

(3) Or would cause injurious or unnecessary duplication of or delay in the work thereof.

It is perfectly evident that Congress intended to confirm and specify more clearly the duties of the General Staff as laid down in the organic act. It must be assumed to have been the intent of Congress to increase the effectiveness of the General Staff and not to curtail or destroy it as a supervising, coordinating, and informing portion of Army machinery, otherwise there would be no apparent reason for repeating the use of those words. I maintain that there is nothing in section 5 which declares that the duties of the General Staff must be general in character as referred to in subparagraph 3, paragraph 2, of the Judge Advocate General's letter. That section states clearly that the duties of the members of the General Staff should be confined strictly to the discharge of duties of the general nature of those specified for them in this section of the organic act. Some of the duties laid down in this section 5 are anything but general, and yet much of the argument of the Judge Advocate General is based upon the assumption that all the duties of the General Staff must be general. After enumerating certain definite and specific duties, the statute further prescribes "and to perform such other military duties not otherwise assigned by law as may be from time to time prescribed by the President." That is, whenever additional duties are assigned they must be such as not specifically assigned by law to some bureau. There is no mention in the statute of duties prescribed by custom and regulations. One of the purposes for which the General Staff was created was to initiate new customs and new methods for those which had grown up with such disastrous effect among the bureaus. The Chief of Staff, under the direction of the Secretary of War, is the agent empowered to issue regulations when such are considered necessary. Again, he concludes:

They must not be such as would, if performed by the General Staff, involve impairment of responsibility or initiative of such bureaus or officers or cause injurious or unnecessary duplication or delay in the work itself.

With reference to the foregoing, the law prescribes that the General Staff shall be confined strictly to the discharge of duties of the general nature of those prescribed. It is not reasonable to assume that Congress would prescribe definite duties for members of the General Staff Corps and in the same statute enact a provision which would prevent their performance.

15. It is a pure fiction of the imagination to state that in the military meaning of the words supervision and coordination do not convey the idea of action, action upon competent authority, that authority resting in the individual himself by virtue of his position and commission or entrusted to him as the representative of his military superior. To assume that an officer who is directed to supervise and coordinate the movement of a number of bodies of troops is not vested with authority to issue instructions in the name of his superior indicates an absolute lack of knowledge of the use of these terms in a military sense or in the conduct of affairs within the military establishment. To assume that the words "supervise" and "coordinate" do not carry in the military service the idea of some exercise of authority either original or delegated is unsound, or that these functions together with that of informing can be intelligently exercised without knowledge of what is being done is equally unsound. It can be said to be axiomatic in the Military Establishment that the officer charged with supervisory and coordinating powers exercises certain authority. This authority is only exercised in the War Department by the Chief of Staff, and always by order of the Secretary of War. In theory of law and in fact, the act is the act of the Secretary of War. The supervision which the Chief of Staff exercises is for him, and the authority is his.

16. Congress has especially continued in effect the provisions of the organic act and, in fact, it is clearly evident that Congress intended by the organic act and the present act to provide a real General Staff with actual supervising, coordinating, and informing powers over the bureaus of the War Department, as well as over the other branches of the military service. The argument which led to the establishment of the General Staff was based upon the lack of harmony and coordination between the different bureaus and upon a recognition of the necessity of such coordination, but of having it effected under the direction of the Secretary of War through a technically trained officer of appropriate rank, with sufficient knowledge to make intelligent supervision, coordination, and informing possible. It was to give to the President an instrumentality through which he, through his representative, the Secretary of War, should effectively and intelligently exercise command of the Army and maintain it in a condition of efficiency. It was founded also upon a recognition of the fact that efficiency was impossible without such a supervising, coordinating, and informing body.

17. Perhaps the most far-fetched and illogical conclusion in this series of conclusions is that which states the purpose of the section was to "reestablish the relation of the several bureau chiefs as special aids and advisers to the Secretary of War." On the contrary the section specifically and repeatedly refers to the supervising, coordinating, and informing powers conferred on the General Staff by the organic act and distinctly confirms them. Again in the opinion reference is made to the "organic system of the bureaus." This system, sacred as it is, remains subject to the changes made by the national defense act as any other "law inconsistent with this act." If it had been intended to reestablish the independent functions of the staff bureaus free from the supervising, coordinating, and informing powers of the General Staff, Congress certainly would have stated so in clear and unmistakable language.

18. Duties of the General Staff under act of 1903: In order to determine to what extent the recent legislation has affected the original act, it will be well to look back to the reasons which prompted the legislation, and, in the opinion of those responsible, the object that was meant to be accomplished by it.

19. The original act prescribes duties as follows:

SEC. 2. That the duties of the General Staff Corps shall be to prepare plans for the national defense and for the mobilization of the military forces in time of war; to investigate and report upon all questions affecting the efficiency of the Army and its state of preparation for military operations; to render professional aid and assistance to the Secretary of War and to general officers and other superior commanders, and to act as their agents in informing and coordinating the action of all the different officers who are subject under the terms of this act to the supervision of the Chief of Staff; and to perform such other military duties not otherwise assigned by law as may be from time to time prescribed by the President.

SEC. 4. That the Chief of Staff, under the direction of the President or of the Secretary of War, under the direction of the President, shall have supervision of all troops of the line and of The Adjutant General's, Inspector General's, Judge Advocate's, Quartermaster's, Subsistence, Medical, Pay, and Ordnance Departments, the Corps of Engineers, and the signal Corps, and shall perform such other military duties not otherwise assigned by law as may be assigned to him by the President, * * *.

20. The following extracts are taken from the regulations issued by the Secretary of War, Mr. Root, by direction of the President, to put into effect the law establishing the General Staff Corps:

(a) The law establishes the General Staff Corps as a separate and distinct staff organization, with supervision under superior authority over all branches of the military service, line and staff, except such as are exempted therefrom by law or regulations, with a view to their coordination and harmonious cooperation in the execution of authorized military policies.

(b) Under the act of February 14, 1903, the command of the Army of the United States rests with the constitutional Commander in Chief, the President. * * *

(c) The President's command is exercised through the Secretary of War and the Chief of Staff. * * *

(d) The Chief of Staff reports to the Secretary of War, acts as his military adviser, receives from him the directions and orders given in behalf of the President, and gives effect thereto in manner hereinafter provided. * * *

(e) The Chief of Staff is charged with the duty of supervising, under the direction of the Secretary of War, all troops of the line, The Adjutant General's, Inspector General's, Judge Advocate General's, Quartermaster, Subsistence, Medical, Pay, and Ordnance Departments, the Corps of Engineers, and the Signal Corps. * * *

(f) The supervisory power vested by statute in the Chief of Staff covers primarily duties pertaining to the command, discipline, training, and recruitment of the Army, military operations, distribution of troops, inspections, armament, fortifications, military education and instruction, and kindred matters, but includes also, in an advisory capacity, such duties connected with fiscal administration and supply as are committed to him by the Secretary of War. * * *

He makes and causes to be made inspections to determine defects which may exist in any matter affecting the efficiency of the Army and its state of preparation for war. He keeps the Secretary of War constantly informed of defects discovered and under his direction issues the necessary instructions for their correction. * * *

(g) In the performance of the duties hereinbefore enumerated and in representation of superior authority, the Chief of Staff calls for information, makes investigations, issues instructions, and exercises all other functions necessary to proper harmony and efficiency of action upon the part of those placed under his supervision.

21. In his report for the year 1903 the Secretary of War, referring to the act creating the General Staff, says:

It will be remembered that our old plan of Army administration was that there should be a general commanding the Army in peace as well as in war, responsible for the efficiency, discipline, and conduct of the troops, but having no control over finances or the departments of supply and transportation; and that there should be a Secretary of War controlling the finances and money-spending bureaus, but not commanding the Army or responsible for the conduct of purely military affairs; and it will be remembered that the result of attempting to work upon that theory of dual and separate responsibility was almost constant discord and a consequent reduction of efficiency. * * *

The act abolished the separate office of general commanding the Army, provided for a military Chief of Staff to the President, who, acting under the direction of the President or of the Secretary of War representing him, should have supervision not only of all troops of the line but of the special staff and supply departments which had theretofore reported directly to the Secretary of War; and it created for the assistance of the Chief of Staff a corps of 44 officers, who were relieved from all other duties.

22. It is believed that the above quotations and extracts are sufficient to show the evils which the law was meant to correct, the purpose of the General Staff and the scope of their duties, as defined by that Secretary of War who more than any other one person was responsible for the creation of the General Staff Corps. It remains to determine what effect the recent legislation has had in modifying the duties and responsibilities of the members of this corps.

23. With reference to the transfer of the business of the mobile Army division and Coast Artillery division, it is provided that "the business heretofore transacted in said divisions, except such as comes clearly within the general powers specified in and conferred upon members of the General Staff Corps by the organic act of Congress approved February 14, 1903, etc.," and later, "and subject to the exercise of the supervising, coordinating, and informing powers conferred upon members of the General Staff Corps by the act of Congress last hereinbefore cited the business transferred by this proviso to certain bureaus or offices shall hereafter be transacted exclusively by or under the direction of the respective heads thereof."

24. It will be seen that only a part of the duties prescribed in the old law have been specifically mentioned in the recent act. But all those duties originally prescribed have been continued in force by the language of section 5 of the national defense act, "That members of the General Staff Corps shall be confined strictly to the discharge of the duties of the general nature of those specified for them in this section and in the organic act of Congress last hereinbefore cited, and they shall not be permitted to assume or engage in work of an administrative nature that pertains to established bureaus or offices of the War Department, or that, being assumed or being engaged in by members of the General Staff Corps would involve impairment of the responsibility or initiative of such bureaus or offices, or would cause injurious or unnecessary duplication of or delay in the work thereof." The recent act prescribes certain new duties, one of which is "in investigating and reporting upon the efficiency and state of preparedness of the military forces for service in peace or war." The term "military forces" includes the administrative departments or bureaus (secs. 1 and 2), and the recent law makes it a duty of the General Staff Corps to investigate and report upon their efficiency

and state of preparedness for service in peace or war, to the same extent as for other forces.

25. Referring to paragraph 23 above, it will be well to note the language of the statute in referring to the original act. The expressions "general powers specified in and conferred upon members of the General Staff Corps" and "supervising, coordinating, and informing powers conferred upon members of the General Staff Corps" are used. These terms are stronger than those used in the original act, where members of the General Staff Corps are charged with the duty of supervising and coordinating. Power, as defined by Webster, in the sense used, means "exercise of any kind of control; influence; command."

26. The effect of the provision quoted in paragraph 25 above is to confine the work of members of the General Staff Corps to the duties prescribed in the original act (1903) and the present one; and to prohibit them doing work of certain kinds which are specified. It is provided that they must not engage in work of an administrative nature that pertains to the bureaus. That is, the administrative work of each bureau must be done by its own force. There is nothing in this, however, which prohibits such study of methods of the various departments by the General Staff as may be necessary in order to submit intelligent recommendations looking to proper coordination and to prevent the duplication of work in the departments; in fact, this is one class of work which the General Staff constantly has to perform, namely, to study the methods of procedure of the various bureaus in order that there may be some coordinating and harmonizing of the sources of supply, maintenance, and upkeep of the Army.

27. On page 4 (opinion of Judge Advocate General), paragraph 2, with reference to the aid and assistance to be given the Secretary of War, general officers, and other superior commanders by the General Staff, and with reference to the performance of such other military duties not otherwise assigned by law as may be from time to time prescribed by the President, I am of the opinion that the conclusions arrived at by the Judge Advocate General are wholly unsound, that they are contrary to the clear intent of Congress, and that they place a limitation upon the power of the Secretary of War as representing the President which is wholly unwarranted by the law as it now stands. The duties prescribed in the first paragraph quoted are definite and specific, and their performance exacted without any conditions. To accept the conclusions of the Judge Advocate General will be to place dangerous limitations upon the constitutional authority of the President as Commander in Chief of the Army to use whatever officers he may see fit to perform specific duties connected with the Military Establishment. There is also a confusion of terms. To advise and recommend changes in administrative methods is not to do work of an administrative character. The second paragraph amplifies the field of activities of the General Staff.

28. Again, the Judge Advocate General states:

And to adopt the view announced by the War College Division would be to permit the General Staff to control bureau administration of every character.

It should be remembered in considering this exercise of authority by the Chief of Staff that his orders are all given in the name of and by authority of the Secretary of War. His supervision is under the

direction of the President or of the Secretary of War, and he acts as their representative in carrying out the purposes for which his office was created.

29. The general conclusion reached by the Judge Advocate General as to the supervising power of the Chief of Staff would be to place him in an area of absolute uncertainty with ill-defined duties and authority. It, would, if accepted, defeat the very purpose of the creation of his office.

30. The general result of the creation of the Chief of Staff and General Staff Corps has been greatly to improve the efficiency of the Army. The attached memorandum of the Chief of Staff shows that there are very few points where bureau heads claim that their functions have been infringed upon. The objection has been raised from time to time by different bureau chiefs concerning the coordinating functions of the Chief of Staff. For example, objection has been raised to certain questions relating to fortifications or ordnance being submitted to the Chief of Coast Artillery. This was done in order that before the plans for fortifications were definitely adopted and the fortifications built, the Chief of Coast Artillery should have an opportunity to express his opinion as to the suitability of the plans from the standpoint of the artilleryman; also that it be submitted to the Chief of Ordnance as to their suitability from the standpoint of the bureau charged with the installation of the ordnance. Again, differences have arisen between the Field Artillery and the Chief of Ordnance as to gun caissons of the field artillery, the Chief of Ordnance claiming that only a certain amount of ammunition should be carried in the caisson, the Field Artillery representatives that a large amount should be carried. The question was largely a tactical one; the diverse views had to be coordinated, and a decision reached. Questions as to the site of a post are not for the Quartermaster General to decide, but are questions which involve the consideration of the General Staff; they have to do directly with the military policy of the country. In many instances the opinion of the Surgeon General as to the sanitary advisability of construction at a certain point would be eminently proper. The Army shoe is provided by the Quartermaster General; the same is true of the uniform; yet in both instances they have to be passed upon by various other authorities. A section of the General Staff, representing the arm concerned, the Surgeon General's Office, in the case of shoes, as to the suitability of the shoe from orthopedic standpoint, also the suitability of clothing from the standpoint of climatic effect; again, the line of the Army should have a voice in both matters; the question of tentage, which involves various matters, ventilation, size of the tent, etc. The detail of officers to various duties may be regarded by bureau chiefs as a routine matter; it is far from routine; it is one of the most important matters affecting the Army, and to permit The Adjutant General or any other officer arbitrarily to detail officers for duty in this or other departments upon the request or recommendation of heads of bureaus alone would be to disregard the very vital interests of the Army. For this reason the detail of officers should be under the general supervision of the Chief of Staff. Many questions have to be decided; the suitability of the officer, his services with the troops, whether he is needed for further service with troops, whether

it is desired to detail him to another department, whether he is possessed of special qualifications, whether he is possessed of certain qualifications for special details—all these things should be considered and considered carefully, and can not be done properly by any single department. Oftentime questions are involved concerning which there is little or nothing on the officer's record. The selection of a man for a college may be considered a routine matter; it is in no sense routine. A man's qualifications have to be considered from many standpoints. There is little routine business in the Army with which the General Staff has ever had any intimate association. Routine business, in the military use of the word, is of a relatively simple character. Questions may arise as to what is routine or what is not. These are bridges which must be crossed when we come to them, and a decision made by the Secretary of War in each case. Co-ordination results from supervision, and the latter, if it is to be intelligently exercised, must be founded upon knowledge of conditions existing in the elements to be coordinated. One who is not familiar with the various and complex questions constantly arising in military administration can not appreciate how great and how ever constant is the need of coordination, at least until policy is established, concerning certain lines of procedure. Many questions arise involving staff corps and departments, and unless coordinated, result in confusion and failure to attain the results aimed at. As a further illustration, recruiting furnishes a good example. For instance, recruiting is under the immediate charge of The Adjutant General, but other bureaus are concerned with the qualifications of the recruit; the Medical Department recommends certain physical standards; the General Staff considers the amount and type of instruction which shall be given before they are sent to the colors; the Chief of Staff, as the representative of the Secretary of War, coordinates these opinions and presents to the Secretary of War his approval of such recommendations as seem advisable from the military standpoint. The final approval is the approval of the Secretary of War. The question of the length of time which recruits are to be maintained at the depot, how they are to be distributed, etc., is one which affects military training and efficiency and comes properly before the General Staff as a matter for study and consideration. Its views may differ from that of The Adjutant General. Some one must coordinate them. Obviously this coordination must be done by one familiar with the Military Establishment, its needs and purpose. The Chief of Staff is the person authorized by law to coordinate, but the act which puts this coordination into effect is the act of the Secretary of War. He is entirely at liberty to approve or disapprove the recommendations of the Chief of Staff.

31. An attempt has been made apparently to create the impression that subordinate officers of the General Staff have turned down bureau chiefs' recommendations. There is absolutely no truth in this statement any more than there would be truth in the statement that The Adjutant General or an A. D. C., authenticating an order or decision of his commanding general, has turned down or disapproved the recommendation of some officer or group of officers. Whatever he has done is done in the name and by authority of his superior. The vast majority of the recommendations of bureau chiefs are pre-

pared by subordinate officers in their department. The chief signs it and the recommendation is his, or it may be signed by the subordinate "by direction," and is still the chief's action.

32. The conclusion as set forth on page 3 of the Judge Advocate General's letter limiting and defining the functions of the General Staff is not warranted either by the language of the law as written or read in connection with the original law. There is a constant effort to inject into this argument the assumption that the General Staff has been doing administrative work, and a failure to set forth what has really taken place, viz, that the General Staff has not done administrative work, that it has studied administrative questions and recommended changes in administrative procedure, that these changes were not made by the General Staff, but were made by order and authority of the Secretary of War whenever such recommendations have been approved. The General Staff could not perform its proper functions unless it studied administrative methods. How could it study the organization, supply, and equipment of the military forces, make plans for meeting a possible emergency of war, and work out plans for mobilization unless it studied, and studied carefully, the administrative methods of the various departments? And it would fail in its duty if it did not recommend such changes as conditions indicated. It is useless to attempt to cover up basic principles by clever handling of phraseology. This argument all through conveys the impression that something has been done which has not been done. Of what use would it be for the General Staff to study military problems unless it studied the machinery for meeting them and, finding this machinery defective, submitted recommendations looking to its correction or improvement? How can it investigate and report upon efficiency and state of preparedness unless it is thoroughly familiar with administrative methods?

33. The Judge Advocate General's opinion, if accepted literally, would prevent the Secretary of War from asking the opinion of the Chief of Staff or the General Staff concerning many of the technical details of vital importance to the Army simply because they were handled in a general way in a certain department. The Chief of Ordnance would prescribe without limit the type of rifle to be used by the Infantry, the number and type of guns to be provided for the Field Artillery, yet his bureau is purely a manufacturing bureau and in no way concerned with the tactical questions involved, which must be determined solely by the line of the Army.

34. On page 7 I think the conclusions reached are thoroughly unsound. The very purpose of the creation of the General Staff and the office of Chief of Staff was to coordinate and subordinate to the interests of the line of the Army the views and policies of the several bureau chiefs. In regard to the statement to the effect that "in the latter days of the General Staff control chiefs of bureau have had their jurisdiction unlawfully restricted and partially absorbed by agencies having no warrant of law for their action" it is suggested that the Judge Advocate General be called upon to state specifically any such instances. I know of no such instances. Further, "both candor and intellectual integrity require me to say that I can see nothing helpful to be achieved by subjecting the action of a bureau chief within the sphere of his special jurisdiction to the review of

another officer of the Army whose position alone upon the General Staff is that which serves to endow him with a special knowledge of the subject which Congress has exclusively intrusted to bureau chiefs, and success can hardly be expected from such incongruity." This is not only absolutely unsound, but is contrary to fact. It misrepresents the situation wholly. An officer of artillery, coast or field, does possess such knowledge, not because he is a member of the General Staff, but because of his training as an officer of the Artillery arm. The same is true with reference to officers of other arms and branches of the service who may be members of the General Staff. These officers also have a practical knowledge which comes from service with troops, and it is the combination of this special knowledge thereon, combined with their practical experience with troops, which makes their opinion invaluable and which renders them endowed with a special knowledge, a knowledge derived from practical experience with troops in the field, a knowledge which is generally lacking in the bureau chief.

35. The Judge Advocate General knows that the subordinate officers on the General Staff only recommend, that the Chief of Staff only recommends, and that the action is taken by the Secretary of War. He knows, moreover, very fully that every bureau chief has always had the fullest opportunity to present and make good any claim or injustice or any improper interference. His statement is, in effect, a demand for absolute independence on the part of each and every bureau chief in all matters ordinarily handled by the bureau, whereas every well-informed officer of the Army knows that the function of a bureau is the supply, equipment, and efficiency of the line, and that almost all the functions of every bureau are interwoven or touch somewhere upon the functions of another bureau, that they all bear directly on the line of the Army, that the Chief of Staff represents the line to an extent which no bureau represents it, that the officers of the General Staff are recently from the line, and ordinary administrative intelligence indicates clearly that these officers from the various arms should be heard, at least to the extent of submitting an opinion to the Chief of Staff for the Secretary of War upon matters relating directly to the troops of their arms, as they are far more familiar with the needs and requirements than any bureau chief could possibly be.

36. With reference to paragraph 5, page 7:

Coming now to the duties of the Chief of Staff: I do not believe that by virtue of any authority he has, either in his capacity as a member of the General Staff Corps or as chief of said corps, he can lawfully exercise his power so as to stand between a bureau head and the Secretary of War himself upon matters assigned by law, regulation, and custom to the administrative bureau except by laying down general rules of policy and general rules designed to coordinate the efforts of the various bureaus, nor is he ever justified in substituting in such matters his judgment for theirs.

The bureau chiefs always have the right to present any matter they desire to the Secretary of War. The Chief of Staff can not stand between the Secretary of War and any bureau chief. It is inconceivable that the bureau chiefs should ever be refused the right to present matters to the Secretary of War. Any attempt to convey the idea that this condition exists is misleading. Both the bureau chief and the Chief of Staff must have been misinformed as to their rights.

37. With reference to the statement that the "Chief of Staff is never justified in substituting his views for the views of the bureau chief." This statement is so extreme that it carries its own refutation. Taken literally it would seem to declare that the chiefs of bureaus are infallible and that the Chief of Staff should never attempt any supervision or coordination which interferes with the various and diverse views of the different bureaus; in other words, that there is to be no supervision or coordination over the acts, decisions, and policies of the various bureaus of the War Department; that the Chief of Staff never should substitute his opinion for that of any bureau chief, regardless of how much out of line it may be with the general policy which the Secretary of War is striving to establish. This is the most extended claim for supreme, absolute, untrammelled bureaucracy that has ever been made within my knowledge. Further on in this paragraph it is stated that "the Chief of Staff is but a member of the General Staff Corps whose duties are the duties of that corps, except in so far as they may be found to be otherwise by section 4 of the original act, read in the light of the recent act, which establishes for him a special relation to the President and to the Secretary of War." That section is as follows:

That the Chief of Staff, under the direction of the President or of the Secretary of War, under the direction of the President, shall have supervision of all troops of the line and of The Adjutant General's, Inspector General's, Pay and Ordnance Departments, Corps of Engineers, and the Signal Corps, and shall perform such other military duties not otherwise assigned by law as may be assigned to him by the President. * * *

The function of the Chief of Staff is distinct from his functions as a member of the General Staff Corps.

38. The abolition of the old office of commanding general was not wholly for the purpose of bringing departmental organization more in harmony with the constitutional precepts, for the Secretary of War, as the mouthpiece of the President, was himself the commander of the Army in effect. There was a further purpose, and that was to give the President and the Secretary of War, first, a man of professional attainments, rank, and standing, who at the same time had the confidence of the administration in power. This was indicated clearly by the fact that the office of Chief of Staff practically terminates with the administration under which he is appointed. It was also to bring a man fresh from the line and in touch with the needs of the troops. Both these objects were far more weighty than that presented by the Judge Advocate General. The authority of the Secretary of War has never been questioned, but under the old system the senior officer might not be an officer agreeable to the administration or perhaps equipped to discharge the duties of the position. Further on the old argument is advanced that the Chief of Staff, may supervise, but he must not interfere or express any opinion upon any matters in which he may differ from the bureau chiefs. The conclusions arrived at in this opinion are, as I view them, unsound and dangerous. The duties of the Chief of Staff are those cited on the preceding page and are embodied in the original act. The national-defense act in no way deals with the duties of the Chief of Staff as such. The duties of the Chief of Staff acting as such are quite distinct from his duties as a member of the General Staff Corps. The adoption of the conclusions of the Judge Advocate General

would lead to the establishment of conditions and methods at variance with the motives which led to the establishment of the office of Chief of Staff and the creation of the General Staff Corps and with the intent of Congress in the recent legislation.

LEONARD WOOD,
Major General, United States Army.

MINUTES OF MEETINGS OF MEDAL OF HONOR BOARD CONVENED PURSUANT TO GENERAL ORDERS, No. 136, PARAGRAPH 14, WAR DEPARTMENT, JUNE 16, 1916.

WAR DEPARTMENT, MEDAL OF HONOR BOARD,
Washington, D. C., January 17, 1917.

Report of a board of officers convened by virtue of the following orders:

[Special Orders, No. 136.]

WAR DEPARTMENT,
Washington, June 10, 1916.

* * * * *

14. A board to consist of the following-named retired officers, United States Army, is appointed to meet in this city at the call of the senior member of the board, for the purpose of considering the question of persons entitled to medals of honor, under the provisions of the act of Congress approved April 27, 1916, and of section 122, act of Congress approved June 3, 1916: Lieut. Gen. Nelson A. Miles, Lieut. Gen. Samuel B. M. Young, Maj. Gen. Joseph P. Sanger, Brig. Gen. Butler D. Price, and Brig. Gen. James N. Allison.

* * * * *

By order of the Secretary of War:

A. L. MILLS,

Brigadier General, General Staff Corps, Acting Chief of Staff.

Official:

H. P. McCAIN,
The Adjutant General.

[Special Orders, No. 140.]

WAR DEPARTMENT,
Washington, June 16, 1916.

* * * * *

40. Brig. Gen. Oswald H. Ernst, United States Army, retired, is detailed as a member of the board appointed in paragraph 14, Special Orders, No. 136, June 10, 1916, War Department, for the purpose of considering the question of persons entitled to medals of honor, vice Brig. Gen. James N. Allison, United States Army, retired, hereby relieved.

* * * * *

By order of the Secretary of War:

H. L. SCOTT,

Major General, Chief of Staff.

Official:

H. P. McCAIN,
The Adjutant General.

The board met June 19, 1916, pursuant to the foregoing orders.
Present: Lieut. Gen. Nelson A. Miles, Lieut. Gen. Samuel B. M. Young, Maj. Gen. Joseph P. Sanger, Brig. Gen. Butler D. Price, and

Brig. Gen. Oswald H. Ernst. (Brig. Gen. Ernst promoted to major general Nov. 2, 1916.)

June 21, 1916, Lieut. Col. Henry Jervy, Corps of Engineers, reported to the president of the board in accordance with the following:

[Special Orders, No. 144.]

WAR DEPARTMENT,
Washington, June 21, 1916.

* * * * *
20. Lieut. Col. Henry Jervy, Corps of Engineers, will report in person to Lieut. Gen. Nelson A. Miles, United States Army, retired, president of the board of officers, appointed in paragraph 14, Special Orders, No. 138, June 10, 1916, War Department, for the purpose of considering the question of persons entitled to medals of honor, for duty until further orders. (2415730, A. G. O.)
* * * * *

By order of the Secretary of War:

H. L. SCOTT,
Major General, Chief of Staff.

Official:

H. P. McCAIN,
The Adjutant General.

Col. Jervy served as recorder to the board until August 29, 1916, when he was relieved by Maj. Oscar J. Charles by the following order:

[Special Orders, No. 192.]

WAR DEPARTMENT,
Washington, August 17, 1916.

* * * * *
59. Capt. Oscar J. Charles, Twenty-second Infantry, will report to this city and report in person to Lieut. Gen. Nelson A. Miles, United States Army, retired, president of the board of officers appointed in paragraph 14, Special Orders, No. 138, June 10, 1916, War Department, for the purpose of considering the question of persons entitled to medals of honor, for duty until further orders, vice Lieut. Col. Henry Jervy, Corps of Engineers, hereby relieved. The travel directed is necessary in the military service. (2446295, A. G. O.)
* * * * *

By order of the Secretary of War:

H. L. SCOTT,
Major General, Chief of Staff.

Official:

H. P. McCAIN,
The Adjutant General.

Capt. Charles was promoted to major, Twenty-second Infantry, July 1, 1916, and detailed to the Quartermaster Corps in pursuance of Special Orders, No. 286, War Department, December 7, 1916.

To both these officers the board feels greatly indebted for their unremitting attention to the duties devolved upon them and to their unusual ability in classifying the cases and arranging for ready reference and immediate consideration, the large amount of documentary evidence submitted to the board. In preparing his briefs, the recorder was directed by the board to assign to each case a number, and to withhold the name from the board until after that case had been considered. Thus the action of the board was taken without knowledge of the identity of the persons concerned.

The composition and duties of the board are set forth in section 122 of the act of Congress approved June 3, 1916, as follows:

An Act for making further and more effectual provision for the national defense, and for other purposes.

* * * * *

SEC. 122. INVESTIGATION CONCERNING MEDALS OF HONOR.—A board to consist of five general officers on the retired list of the Army shall be convened by the Secretary of War, within sixty days after the approval of this act, for the purpose of investigating and reporting upon past awards or issue of the so-called congressional medal of honor by or through the War Department; this with a view to ascertain what medals of honor, if any, have been awarded or issued for any cause other than distinguished conduct by an officer or enlisted man in action involving actual conflict with an enemy by such officer or enlisted man or by troops with which he was serving at the time of such action. And in any case in which said board shall find and report that said medal was issued for any cause other than that hereinbefore specified, the name of the recipient of the medal so issued shall be stricken permanently from the official medal of honor list. It shall be a misdemeanor for him to wear or publicly display said medal, and, if he shall still be in the Army, he shall be required to return said medal to the War Department for cancellation. Said board shall have full and free access to and use of all records pertaining to the award or issue of medals of honor by or through the War Department. The actual and necessary expenses of said board and its members shall be paid out of any appropriations available for contingent expenses of the Army or the War Department.

From the language of this section it might be inferred that the cases to be investigated by the board were those of officers and enlisted men of the Army only, but an early examination of the official medal of honor list, disclosed the names of a few civilians, scouts, guides, and others, as well as officers and enlisted men, to whom, as far as appeared, the medal had been duly awarded for heroic and patriotic service, but not "for distinguished conduct in action, involving actual conflict with an enemy, or by troops with which he was serving at the time of such action."

As under a strict interpretation of the act such medals would be forfeited, and learning that this provision was inserted while the bill was in conference, and was never debated in either House of Congress, or in a full regular committee of either House, the board felt that the practical working of the law had not been understood by Congress, which had unwittingly committed an act of injustice, which if called to their attention, would result in a modification of the language of the act.

Accordingly the board addressed the following letter to the honorable Secretary of War, suggesting an amendment to the Army appropriation bill, then under consideration:

WASHINGTON, July 19, 1916.

The SECRETARY OF WAR.

SIR: The board appointed by paragraph 14, Special Orders, No. 136, War Department, Washington, June 10, 1916, for the purpose of considering the question of persons entitled to medals of honor under the provisions of the act of Congress approved April 27, 1916, and of section 122 of the act of Congress approved June 3, 1916, desires, in the interest of justice to those who are worthily holding medals of honor, to request attention to the apparent conflict between the act of June 3, 1916, and the original laws of Congress authorizing medals of honor, viz, the joint resolution of July 12, 1862, and section 6 of the sundry civil act, approved March 3, 1863, under the terms of which, or in accordance with the custom and practice of the War Department based thereon, all lawful awards of medals of honor have heretofore been granted.

While some medals of honor have been given to officers and soldiers not in accordance with the law, and to civilians for heroic acts, without authority of

law, it is assumed it is not the intention of Congress to deprive anyone of this distinguished honor where it has been worthily bestowed for most extraordinary, hazardous, and dangerous service. Section 122 of the act of Congress approved June 3, 1916, makes no mention of the acts of 1862 and 1863, and would seem to repeal, or at least, annul those acts that have been on the statute books for more than 50 years. The board is informed that said paragraph, or section 122, was not in either of the Senate or House bills, but was inserted for some purpose in conference. If the provisions of section 122 are strictly complied with, the board is of the opinion that grave injustice would be done to a class of public servants who have rendered most conspicuous acts of heroism that would be recognized in any army of the world. It leaves the board and the honorable Secretary of War no discretion, and would be a cruel act toward a class that the Government has manifestly desired to honor. The board, therefore, respectfully requests that the honorable Secretary of War will ask that the Army appropriation bill, now pending in Congress, be amended by adding the following paragraph, to wit:

"Section 122 of the act of Congress approved June 3, 1916, shall not apply to persons who have lawfully received their medals of honor, nor to anyone who has rendered most extraordinary, hazardous, and dangerous service to the Government."

If this paragraph is added, as the board hopes it may be, the duties of the board will be better defined and more practicable of execution.

A memorandum of facts and the effect of the law of June 3, 1916, is herewith inclosed for reference or consideration.

Very respectfully,

NELSON A. MILES,
*Lieutenant General United States Army,
President of the Board.*

The Secretary of War laid the matter before the Military Committees of Congress in a letter of which the following is a copy:

WAR DEPARTMENT,
Washington, July 24, 1916.

HON. GEORGE E. CHAMBERLAIN,
*Chairman Committee on Military Affairs,
United States Senate.*

DEAR SENATOR CHAMBERLAIN: In conformity with the provisions of section 122 of the national defense act, approved June 3, 1916, I appointed a board to investigate and report upon past awards of medals of honor by the War Department. The personnel of this board is as follows: Lieut. Gen. Nelson A. Miles, Lieut. Gen. Samuel B. M. Young, Maj. Gen. Joseph P. Sanger, Brig. Gen. Butler D. Price, and Brig. Gen. Oswald H. Ernst.

I am just in receipt of a letter from the board, signed by its president, Lieut. Gen. Nelson A. Miles, in which the board expresses the opinion that strict compliance with the provisions of section 122 would do grave injustice to a class of public servants who have rendered most conspicuous acts of heroism such as would be recognized in any army of the world, and would be a cruel act toward a class that the Government has manifestly desired to honor. The board respectfully suggest that section 122 be amended by the insertion of a provision in the Army appropriation bill now pending in Congress that will better define the duties of the board and render them more practicable of execution.

It will be observed that this action of the board is based upon the assumption that it is not the intention of Congress to deprive anyone of the distinguished honor associated with the award of the congressional medal of honor where it has been worthily bestowed for most extraordinary, hazardous, and dangerous service.

I inclose a copy of the board's letter, together with copy of the memorandum which accompanied it.

Sincerely, yours,

NEWTON D. BAKER,
Secretary of War.

A letter identical with the foregoing was addressed to Hon. James Hay, chairman Committee on Military Affairs, House of Representatives.

Complying with the request of the Secretary of War, the following amendment was offered in the Senate, July 26, 1916, to wit:

Section 122 of the act of Congress approved June 3, 1916, shall not apply to persons who have lawfully received their medals of honor, or to anyone who has rendered most extraordinary, hazardous, and dangerous service to the Government.

The amendment was rejected on a point of order, and the advanced stage of the session made it impracticable to secure any modification of the act at that time.

The board begs leave to express the hope that the War Department will defer action, in certain cases to be specified hereafter, until the matter can receive the careful consideration of Congress.

By referring to the language of section 122, the specific duty devolving on the board is "to ascertain what medals of honor, if any, have been awarded or issued, for any cause other than distinguished conduct by an officer or enlisted man in action, involving actual conflict with an enemy by such officer or enlisted man or by troops with which he was serving at the time of such action."

The records of all persons on the medal of honor list, numbering 2,625, have been carefully examined by the board.

In a large majority of cases the medals have been awarded for distinguished conduct in action, measuring that term by the highest standard, and there can be no question as to the propriety of the award.

In some cases the papers are missing and those on file do not furnish evidence, which of itself would be satisfactory to this board, except for the corroborative evidence contained in the action of the proper authorities at the time. The evidence was satisfactory to them and should not be questioned now, after a lapse of so many years, the death of important witnesses, and of the recipients of the medals, and the loss of valuable papers. In some cases also the term "distinguished conduct in action," is defined by the authorities making the award, as well as by applicants for the medal, with much greater liberality than is now exercised under the regulations of the War Department in awarding medals of honor. With but few exceptions these cases set forth the acts of brave men under trying circumstances. The rewards which these men received were greater than would now be given for the same acts, but the acts were highly meritorious nevertheless and, in the absence of adverse evidence and because there has been no high judicial interpretation of the medal of honor laws, the board has felt bound to measure the act by the standard established by the authorities at the time of the award, rather than by that now observed, thus avoiding as far as practicable, retroactive judgment on the course of the War Department in a matter lawfully within its discretion, and so closely affecting the honor of so many patriotic citizens living and dead.

The board has found but few instances where the medal has not been awarded for distinguished services and these instances will now be presented.

The first is that of 555 members of the Twenty-seventh Regiment of Maine Volunteer Infantry.

At the time of the invasion of Pennsylvania in 1863 the Nation was in peril and the Government felt it necessary to secure the

services of troops which were not regularly at its disposal. As an inducement to the Organized Militia of States other than Pennsylvania to serve in that State, and as an inducement to volunteer regiments, whose time had expired, to remain in service during the emergency, the Secretary of War issued the following order:

[General Orders, No. 195.]

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, June 29, 1863.

The Adjutant General will provide an appropriate medal of honor for the troops who, after the expiration of their term, have offered their services to the Government in the present emergency; and also for the volunteer troops from other States that have volunteered their temporary service in the States of Pennsylvania and Maryland.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant General.

It appears from the records that at this time the Twenty-seventh Maine Volunteer Infantry was serving in the defenses of Washington; that the term of service of the regiment expired June 30, 1863, and that they were appealed to by the President and Secretary of War to remain in service until the pending emergency had passed. The regiment numbered 864 officers and men, and of these 309, less than half, volunteered, but the remainder, 555 in number, insisted on their discharge and went home. It was a pusillanimous act. Nevertheless, by some "inadvertence" medals of honor were awarded them as well as to those who remained.¹ The medals issued to those who went home were undeserved. Those awarded to the 309 who remained in service, while not given for "distinguished conduct in action," were given by the Secretary of War in accordance with law and in fulfillment of the promise of the President.

The numbers assigned by the board to the 309 men of the Twenty-seventh Maine will be found in a list hereto attached marked "A."

Of the large number of persons, numbering many thousands, who became entitled to medals under General Order No. 195 of 1863, above mentioned, only a few received medals in addition to the members of the Twenty-seventh Maine. They are five men of the Twenty-seventh New Jersey, numbered by the board 955, 958, 959, 960, and 961, and one member of the Twenty-second New York State Militia, numbered by the board 977.

In view of the circumstances attending the award of these medals the board recommends that action by the War Department be deferred, pending a possible reconsideration of the law by Congress.

¹ The figures of the Twenty-seventh Maine Regiment are taken from History of the Twenty-seventh Maine Volunteer Infantry, by Col. James M. Stone, Aug. 27, 1895, the Thurston Print, Portland, Me. Col. Stone was major of this regiment when it was organized, Sept. 10, 1862. He gives a list of those who volunteered to remain, numbering in all 312. In his list appear the names: L. Nason, private Company B, George Hobbs and Justin Spinney, volunteer recruits, which are not included in the official medal of honor list and received no medals. Deducting these three from the 312 named by him there remain 309 on the official list who actually remained in the defenses of Washington after their term of service had expired. These 309 men were sent home July 4, 1863, when the result of the Battle of Gettysburg became known. The 555 who refused to remain were sent home July 1, 1863. The entire regiment was mustered out of service at Portland, Me., July 17, 1863. On Jan. 24, 1865, medals of honor, 864 in number, were issued to all members of the regiment who were mustered out with it.

The other cases of medals awarded for causes other than distinguished conduct in action by an officer or enlisted man are the following:

No. 1012. This medal was awarded by the Secretary of War under a promise of the President for carrying important dispatches from President Lincoln to Gen. Grant while the latter was operating in the Wilderness in 1864.

No. 1872. This medal was awarded for heroic conduct, picking up shells and extinguishing burning fuses, by a member of the Eighteenth New York Battery. This battery was in park at Baton Rouge, La., at the time, October 11, 1864.

Nos. 1045 and 1057. Awarded for bringing off the colors of the Eighth United States Infantry, concealed about their persons, when quartered at San Antonio, Tex., when that military post was surrendered to the Confederates.

Nos. 903 to 931. These men composed the bodyguard of the remains of President Lincoln en route from Washington, D. C., to Springfield, Ill., and received their medals for that service. The detachment consisted of 4 officers and 25 first sergeants, specially selected from the Veteran Reserve Corps by General Order No. 36:

[General Order No. 36.]

HEADQUARTERS 1ST BRIGADE V. R. C.

Washington, D. C., April 19, 1865.

Pursuant to orders from Headquarters Department of Washington, requiring that 1 captain, 3 subalterns, and 25 first sergeants be detailed as a guard of honor to escort the remains of the late President to their final resting place in Illinois, and that the detail consist of the best and most reliable men in the command, the following-named officers and first sergeants are detailed for this duty, and the commanding officer, Capt. James McCamly, will report for instructions to Brig. Gen. E. D. Townsend, A. A. G., at the War Department at 10 o'clock a. m. to-morrow, the 20th instant.

* * *
By command of Col. George W. Gile:

H. M. BREWSTER,
Captain and A. A. G.

No. 1006. This man was a British subject, enlisted in a New York Regiment of Engineers. He served faithfully in the field for 11 months, took fever and died. The medal was awarded after the man's death, at the request of his father, and was forwarded through the American minister in London, who earnestly recommended the award.

No. 996. This was a contract surgeon whose service does not appear to have been distinguished in action or otherwise.

No. 975. This was a quartermaster-storekeeper who did good service in extinguishing a fire in a Government storehouse in his charge, though no special heroism is recorded.

The numbers 2095, 995, 976, 998, and 999 are civilians to whom medals have been awarded by the War Department. They rendered distinguished service in action, and, in the opinion of the board, they fully earned their medals. It is hoped that a modification of the law will permit them to retain them.

In concluding its report the board invites attention to the large number of officers and enlisted men who have served in the Army of the United States from 1861 to date, estimated at 3,200,000, and to the small number of medals of honor issued. It is well known, however, that there have been many cases of heroic conduct deserving of medals which have not been so rewarded. On the other hand, the board has noted some cases which would have been sufficiently and

more appropriately rewarded by brevets, certificates of merit, or mention in orders.

In this connection the board ventures to suggest that other insignia, in addition to the medal of honor, be established by Congress to be awarded for distinguished or highly meritorious services, not only in action but also in other spheres of duty. Such rewards are recognized in all armies and are a great incentive to extraordinary effort and the display of soldierly qualities.

As the military profession offers no reward to its members except for distinguished and meritorious services, the board suggests that medals of honor should not be issued to civilians who, if occasion requires, should be rewarded in some other way. Medals of honor should be reserved as the highest military decoration to be awarded to officers and enlisted men only and as now prescribed in the Army Regulations, which, in the opinion of the board, should be enacted into law to prevent future meddling and misunderstandings and to enhance the value of the award. And once a medal of honor or other insignia has been duly awarded to an officer or enlisted man according to law, he should not be deprived of it except by the judgment of a military court for causes disgraceful to the military service.

NELSON A. MILES,
Lieutenant General, United States Army, President.
S. B. M. YOUNG,
Lieutenant General, United States Army, Member.
J. P. SANGER,
Major General, United States Army, Member.
O. H. ERNST,
Major General, United States Army, Member.
BUTLER D. PRICE,
Brigadier General, United States Army, Member.
O. J. CHARLES,
Major, Quartermaster Corps, Recorder.

MEMORANDUM LIST OF INDIVIDUALS MENTIONED IN PROCEEDINGS OF BOARD.

- | | |
|---------------------------|--------------------------|
| 903. Barry, John P. | 927. Sedgwick, Irvin M. |
| 904. Bullock, Luther E. | 928. Smith, Frank T. |
| 905. Callaghan, Patrick. | 929. Smith, John P. |
| 906. Carey, Frank. | 930. Swinehart, Chester. |
| 907. Carpenter, Samuel T. | 931. Wiseman, William H. |
| 908. Carr, Augustus E. | 955. Mindil, George W. |
| 909. Collins, James. | 958. Lambert, William H. |
| 910. Cornwall, Addison. | 959. Pierson, S. D. |
| 911. Daly, William F. | 960. Lepout, W. T. |
| 912. Durgin, William W. | 961. Reed, Thomas C. |
| 913. Durkee, Joseph H. | 975. Hawken, J. M. |
| 914. Edwards, John R. | 976. Cody, W. F. |
| 915. Forehand, Lloyd D. | 977. Gardiner, Asa B. |
| 916. Goodrich, George E. | 995. Dozier. |
| 917. Hanna, John. | 996. Walker, Dr. Mary E. |
| 918. Hoppy, Edward. | 998. Chapman, Amos. |
| 919. Karr, John. | 999. Dixon, William. |
| 920. Lewis, Rufus W. | 1006. Storr, Robert. |
| 921. Marshall, A. Judson. | 1012. Lynch, John B. |
| 922. McCamly, James M. | 1045. Hesse, J. C. |
| 923. Murphy, Edward. | 1057. Wilson, J. K. |
| 924. Nelson, Jacob F. | 1872. Gilbert, Thomas. |
| 925. Noble, William H. | 2095. Woodall, W. H. |
| 926. Pardun, James M. | |

APPENDIX A.

Three hundred and nine men of the Twenty-seventh Maine Volunteer Infantry, 1, 2, 7, 17, 19, 20, 22, 27, 32, 37, 39, 43, 44, 47, 53, 56, 58, 60, 63, 66, 69, 70, 71, 76, 77: 79, 87, 91, 92, 93, 95, 96, 97, 98, 102, 103, 105, 108, 111, 112, 113, 116, 124, 125, 129, 132, 134, 138, 143, 147, 151, 157, 159, 162, 165, 167, 170, 171, 172, 173, 180, 181, 182, 183, 184, 186, 187, 188, 193, 194, 196, 204, 208, 213, 214, 215, 218, 224, 226, 228, 230, 233, 234, 235, 237, 240, 244, 246, 249, 250, 252, 256, 264, 265, 270, 272, 276, 277, 284, 286, 289, 292, 293, 295, 299, 300, 303, 304, 305, 307, 309, 310, 315, 321, 323, 324, 325, 332, 333, 334, 336, 339, 344, 349, 351, 353, 354, 355, 359, 367, 369, 370, 371, 372, 374, 379, 380, 381, 383, 384, 386, 387, 394, 402, 409, 410, 414, 418, 429, 435, 438, 441, 442, 445, 446, 448, 451, 454, 457, 461, 462, 467, 469, 470, 471, 474, 475, 476, 478, 479, 481, 483, 496, 498, 507, 509, 516, 517, 518, 519, 520, 522, 524, 525, 529, 530, 534, 535, 541, 542, 548, 553, 554, 555, 561, 562, 570, 571, 574, 575, 578, 582, 583, 585, 586, 587, 589, 590, 594, 595, 596, 598, 599, 604, 613, 615, 616, 619, 620, 621, 628, 630, 631, 632, 633, 634, 635, 641, 643, 646, 654, 656, 657, 660, 661, 662, 663, 664, 665, 666, 667, 672, 673, 674, 677, 680, 681, 685, 688, 692, 693, 694, 697, 699, 700, 704, 709, 711, 714, 715, 724, 725, 726, 727, 732, 736, 738, 740, 741, 742, 743, 745, 751, 753, 758, 759, 761, 764, 766, 767, 769, 773, 776, 779, 783, 784, 785, 786, 788, 793, 794, 795, 796, 797, 801, 803, 804, 806, 808, 817, 820, 824, 826, 831, 833, 834, 854, 855, and 858.

[First indorsement.]

ADJUTANT GENERAL'S OFFICE,

April 10, 1917.

To the Chief of Staff:

1. The recommendations of the board of officers appointed to conduct an investigation concerning medals of honor, as authorized by section 122 of the national defense act of June 3, 1916, have been carried into execution, so far as it is possible for this office to do so, with the exception of the suggestions set forth on page — of the accompanying report.

2. The suggestions made by the board seem to be in the interest of the military service, and it will probably be in the interest of all concerned if some definite action can be taken in accordance with these suggestions.

H. P. McCAIN,
The Adjutant General.

MINUTES OF THE MEETINGS OF THE MEDAL OF HONOR BOARD.

JUNE 19, 1916.

The board met pursuant to paragraph 14, Special Orders, No. 136, War Department, 1916, in room 456, War Department.

Present: Lieut. Gen. N. A. Miles, president; Lieut. Gen. Samuel B. M. Young, Maj. Gen. Joseph P. Sanger, Brig. Gen. Butler D. Price, Brig. Gen. Oswald H. Ernst.

Upon motion, duly made and seconded, it was decided that all proceedings of the board would be absolutely confidential; also that a daily journal be kept of the proceedings of the board.

JUNE 29, 1916.

The board met at 11 o'clock a. m. in room 456.

Present: All the members and the recorder.

The motion was made by Gen. Sanger, and passed, that as far as practicable in examining the records of those who have been awarded medals of honor the name of the person be omitted and a number

substituted therefor for the consideration of the board until after a vote has been taken.

Upon motion made by Gen. Young, and duly seconded, the board adjourned to meet again on Monday next at 11 a. m. in the Lemon Building.

After the above adjournment it was ascertained that at least two weeks would be required for the recorder to secure records from The Adjutant General's Office and prepare cases in sufficient number to submit to the board; also that the room in the Lemon Building would not be available. By direction of the president of the board the next meeting was therefore called for Monday, July 17, 1916, in room 456, War Department. (Letter July 3 to each member.)

JULY 17, 1916.

The board met at 11 o'clock a. m., pursuant to the call of the president, issued in letter dated July 3, 1916.

Present: Lieut. Gen. Samuel B. M. Young, Maj. Gen. Joseph P. Sanger, Brig. Gen. Butler D. Price, and the recorder.

The board discussed questions bearing on its duties and the relation and interpretation of the acts of Congress authorizing the awards of medals of honor, and considered the drafting of a letter calling for an authoritative legal opinion in respect to these matters.

Upon motion, duly made and seconded, the board adjourned at 1 p. m. to reassemble at 11 a. m. July 18, 1916.

JULY 18, 1916.

The board met at 11 o'clock a. m., pursuant to adjournment.

Present: Lieut. Gen. N. A. Miles, Lieut. Gen. Samuel B. M. Young, Maj. Gen. Joseph P. Sanger, Brig. Gen. Butler D. Price, and the recorder.

Gen. Miles stated that his absence from the meeting of the board on July 17 was unavoidable, giving the reasons therefor.

A letter from Brig. Gen. Oswald H. Ernst, dated Buena Vista Spring, Pa., July 16, 1916, relative to his absence from the board and to the payment of his expenses, was read and ordered to be made a part of the record. (Letter attached.)

Gen. Miles stated the substance of interviews he had had with certain Members of Congress, including those with Mr. Hay and Mr. Chamberlain. The board discussed the effect of the act of June 3, 1916, in repealing former laws, etc.

A letter from Asa Bird Gardner, dated Suffern, Rockland County, N. Y., July 11, 1916, addressed to Gen. Miles, relative to his medal of honor, was read and ordered to be made a part of the record. (Letter attached.)

The board decided to draft a letter to the Secretary of War on the subject of the conflict of the laws relating to the award of medals of honor.

Upon motion duly made and seconded the board adjourned at 12.07 p. m. until 11 a. m., July 19, 1916.

JULY 19, 1916.

The board met at 11 o'clock a. m., pursuant to adjournment.

Present: Lieut. Gen. N. A. Miles, Lieut. Gen. Samuel B. M. Young, Maj. Gen. Joseph P. Sanger, Brig. Gen. Butler D. Price, and the recorder.

The board, after a discussion of the draft, directed that the letter be sent to the Secretary of War requesting attention to the conflict between section 122 of the act of June 3, 1916, under which the board is required to act, and the earlier legislation on the subject, and requesting an amendment to the pending Army appropriation bill, with a view to remedying the defective legislation. This letter was accompanied by a memorandum indicating the effect of the strict application of the new legislation contained in the act of June 3, 1916.

After discussion of the further duties of the board, upon motion duly made and seconded, the board, at 12.25 p. m., decided to adjourn to await the call of the President, or until a reply had been received from the Secretary of War.

JULY 21, 1916.

The board met, pursuant to the call of the senior member, at 11 o'clock a. m., in room 456, War Department.

Present: Lieut. Gen. N. A. Miles, Lieut. Gen. Samuel B. M. Young, Maj. Gen. Joseph P. Sanger, Brig. Gen. Butler D. Price, and the recorder.

Gen. Miles placed before the board the question whether the board should at this time take up the consideration of any of the cases that had been investigated and prepared by the recorder. The board decided not to take them up, and upon motion of Gen. Young, duly seconded, the board adjourned to await the call of its senior member, or until a reply to its letter of July 19, to the Secretary of War, had been received.

JULY 31, 1916.

The board met, pursuant to the call of the senior member, at 11.07 a. m., in room 456, War Department.

Present: All the members and the recorder.

The minutes of the last meeting were read and no objection made thereto. The board's letter of July 19 to the Secretary of War was read, together with the letter based thereon addressed by the Secretary of War to the chairman of the Committees on Military Affairs of the Senate and House, respectively. A letter from Senator Weeks, dated July 26, addressed to Gen. Miles, bearing on this question was also read, followed by an extract from the Congressional Record of July 26. Copies of all of these are hereto appended and made part of the record. A memorandum stating the inability of the board to secure the desired amendment to the law under which it is acting was read and, after discussion, was made a part of the record, hereto attached.

In view of the above, and to give ample time for the members of the board, recorder, and clerk to examine all records, prepare statistics, classify the different cases, and possibly prepare evidence to be laid before Congress, the board adjourned until October 16, 1916.

OCTOBER 16, 1916.

The Medal of Honor Board met in room 231, War, Navy, and State Department Building, at 11.05 a. m., pursuant to adjournment.

Present: Lieut. Gen. Nelson A. Miles, Maj. Gen. Joseph P. Sanger, and Brig. Gen. Butler D. Price.

Absent: Maj. Gen. Samuel B. M. Young and Brig. Gen. Oswald H. Ernst.

The board engaged in discussion of the mode of procedure, the classification of cases, procurement of suitable room for board use, and for research work of the recorder.

At 1.05 p. m. adjourned to meet at 11 a. m. Wednesday October 18, 1916.

OCTOBER 18, 1916.

The board met at 11 a. m., pursuant to adjournment.

Present: All the members.

A general discussion of the act of April 27, 1916, and the act of June 3, 1916, was had.

A resolution was passed unanimously to get an authoritative decision from the Secretary of War on certain language of the act of June 3, 1916.

The following cases were acted upon: 1804, Young, James M.; 1009, Carpenter, L. H.; 1100, Cosgrove, Thomas; 1060 to 1067, Phoenix and others.

The board, at 1.10 p. m., adjourned to meet at 10.30 a. m. October 19, 1916.

OCTOBER 19, 1916.

The board met at 10.35 a. m.

Present: All the members.

General discussion.

The following cases were considered: 1352 and 50 others, 1990 and 11 others, 1925 and 13 others, 1686 and others, 2177 and others, 2185 and others, 1950 and others, and 2089 and 9 others.

The Twenty-seventh Maine Infantry cases considered, as follows: 1 to 864.

At 1.35 p. m. the board adjourned to meet at 11 a. m. October 20, 1916.

OCTOBER 20, 1916.

The board met at 11.20 a. m.

Present: All the members.

Memorandums read by Gens. Ernst, Sanger, and Miles; same to be consolidated.

Cases considered: Nos. 1 to 864, 1953 and others (3), 1689 and others (3), 2026 and others (2), 1868 and others (41), 1017 and others (39), 1992 and others (10), 1118 and others (5), and 1639 and others (17).

The board, at 1.10 p. m., adjourned to meet at 11 a. m. Monday, October 23, 1916.

OCTOBER 23, 1916.

The board met at 11 a. m., pursuant to adjournment.

Present: All the members.

Cases considered: 1429, 865 to 902, 1652, 1619, 1991, 1653, 903, 955, 961, 958, 959, 960, 953, 974, 965 to 969, 1107, 1008, 1502, and 1503.

At 1 p. m. adjourned to meet at 10 a. m. October 24, 1916.

OCTOBER 24, 1916.

The board met at 10 a. m. in room 231.

Present: All the members.

Communication from the Secretary of War was read and incorporated in the proceedings. (W. D. 210523.)

The following cases were considered: 1210, 1330, 1752, 1058, 932 to 950 (A. G. O. 2397979), 1159, 1075 to 1155, 2177, 2054, 1751, 1100, 1068 to 1072, inclusive, 1073, and 1074.

At 11.55 a. m. the board adjourned to meet at 11 a. m. October 25, 1916.

WAR DEPARTMENT,
Washington, October 18, 1916.

The SECRETARY OF WAR.

SIR: There being a difference of opinion among the members of the Medal of Honor Board as to the scope of their investigation, an authoritative decision of the legal meaning of the following language in section 122, act approved June 3, 1916, is requested:

To ascertain what medals of honor, if any, have been awarded or issued for any cause other than distinguished conduct by an officer or enlisted man in action involving actual conflict with an enemy by such officer or enlisted man or by troops with which he was serving at the time of such action.

Do these words require the board to report the names of all persons on the medal of honor list, whether officers, enlisted men, or civilians, who have received their medals for any cause other than those specified in the act, or do they limit the persons to be considered to the officers and enlisted men of the Army?

NELSON A. MILES,
*Lieutenant General, Retired,
President Medal of Honor Board.*

[Second indorsement.]

WAR DEPARTMENT, JUDGE ADVOCATE GENERAL'S OFFICE,
October 21, 1916.

To the SECRETARY OF WAR:

1. The views of this office are desired as to the scope of the investigation to be made by the Medal of Honor Board under section 122 of the national defense act approved June 3, 1916:

To ascertain what medals of honor, if any, have been awarded or issued for any cause other than distinguished conduct by an officer or enlisted man in action involving actual conflict with an enemy by such officer or enlisted man or by troops with which he was serving at the time of such action.

The question is asked—

Do these words require the board to report the names of all persons on the medal of honor list, whether officers, enlisted men, or civilians, who have received their medals for any cause other than those specified in the act, or do they limit the persons to be considered to the officers and enlisted men of the Army?

2. I find nothing in the language of the provision which justifies the limitation of the investigation to persons who are now officers and enlisted men of the Army, whether on the active or retired list. That the investigation has a broader scope is evident from the following language in section 122, which follows the language above quoted, namely:

And in any case in which said board shall find and report that said medal was issued for any cause other than that hereinbefore specified the name of the recipient of the medal so issued shall be stricken permanently from the official medal of honor list. It shall be a misdemeanor for him to wear or publicly display said medal, and if he shall still be in the Army he shall be required to return said medal to the War Department for cancellation.

3. I think it is evident from this language that the scope of investigation covers the issue of medals of honor to persons who are not now in the Army, and the purpose of the investigation is broadly stated to be that—

of investigating and reporting upon past awards of issues of the so-called congressional medal of honor by or through the War Department.

I would answer the inquiry, therefore, by the statement that the statutes require—

the board to report the names of all persons on the medal of honor list, whether officers, enlisted men, or civilians, who have received their medals for any cause other than those specified in the act * * *.

E. H. CROWDER,
Judge Advocate General.

[Third indorsement.]

WAR DEPARTMENT, *October 23, 1916.*

TO PRESIDENT MEDAL OF HONOR BOARD.

1. Returned.
2. The views of the Judge Advocate General in preceding indorsement are concurred in.

WM. M. INGRAHAM,
Acting Secretary of Wgr.

OCTOBER 25, 1916.

The board met at 11.05 a. m. in room 231.

Present: All the members.

Letter to Adjutant General read requesting military records in 29 cases—Lincoln escort.

The following cases were considered: 2137 (30), 2250 (31), 1068 to 1072, 1073, 1074 (28), 2142, 2143 (32), 2144, 2146, 2147, 2148, 2606 (10) (33), 971, 972 (34), 973, 2416 (36), 1155, 1157, 1158, 2613, 2614, 2602 (35), 2603, and 2604.

At 12.50 p. m. adjourned to meet at 11 a. m. October 26, 1916.

OCTOBER 26, 1916.

The board met at 11 a. m. in room 231.

Present: All the members.

The following cases were considered: 2242, 2410 et als. (37), 2259 (38), 2340 (39), 1457 (40), 1493 (41), 1446 (42), 1480, 1481, 1482, 1478 (42), 1479, 1473, 1485, 1486 (43), 1487, 1488, and 1489.

At 11.50 a. m. adjourned to meet at 11 a. m. Saturday, October 28, 1916.

OCTOBER 28, 1916.

The board met at 11 a. m. in room 231.

Present: All the members.

The following cases were considered: 1182 (44), 1337 (45), 962, 2363 (46), 2390 (47), 2448 (48), 2481 (49), 2619 (50), 2102 (51), 2621 (52), 2615 (53), 2476 (54), 2326, 2207, 2483, and 995.

In order to give recorder an opportunity to prepare and classify cases, at 11.50 a. m. the board adjourned to meet November 9, 1916, at 11 a. m.

NOVEMBER 14, 1916.

The board met at 11.30 a. m. in room 231.

Absent: Gen. Nelson A. Miles.

Present: All the other members.

The following cases were considered: 1755 (12) (55), 2571 (7) (56), 2181 (4) (57), 1616, 2273, 2302, 1970 (16) (58), 2256 (16) (59), 2261 (4) (60), and 1724 (8) (61).

At 1.20 p. m. adjourned to meet at 11 a. m. November 15, 1916.

NOVEMBER 15, 1916.

The board met at 11 a. m., room 231.

Present: All the members.

The following cases were considered: 1784, 1787, 1788, 1790, 1497, 1466, 1545, 1331, 1235, 1509, 1212, 2464, 2268 (62), 2449, 1167, and 1615.

At 1 p. m. adjourned to meet 11 a. m. November 16, 1916.

NOVEMBER 16, 1916.

The board met at 11.05 a. m. in room 231.

Present: All the members.

The following cases were considered: 1160, 2175, 2625, 2150 (63), 1683 (64), 2289 (66), 2266 (65), 1707 (67), 1627 (68), 2267 (69), 2473 (70), 2526 (71), 2278 (72), 2339 (73), 1252, 1250, 1630, 1617 (74), 1634, 1981, 1708, 1706, 1705, 1704, 1863 (75), 1703, 1177, 2616, 2600, 2622, 2611, 2607, and 2309.

At 1 p. m. adjourned to meet at 11 a. m. November 17, 1916.

NOVEMBER 17, 1916.

The board met at 11 a. m. in room 231.

Present: All the members.

The following cases were considered: 2365 (76), 994 (77), 1625, 1419, 1216, 1227, 1961, 1965, 1969, 2562 (78), 1978 (79), 1959, 2061, 2116, 2063, 1936, 1603, 2114, 2030, 2029, 2172, 2136, 1933, 2023, 2108, 1999, 1415, 1416, 1417, 2128, 1915, 1418, 2170, 2161, 1677, 1588, 1592, 2077, 2107, 1993, 2214, 2034, 2086, and 2066.

The board adjourned at 1 p. m. to meet at 11 a. m. Monday, November 20, 1916.

NOVEMBER 20, 1916.

The board met at 11 a. m. in room 231.

Present: All the members.

The following cases were considered: 2140, 2149, 2117, 2092, 2141, 2125, 2133, 1928, 2097, 1441, 2057, 1425, 1422, 1886, 2173, 1398, 1399, 1654, 1664, 1668, 1633, 2497, 2498, 1645, 1647, 1649, 1599, 1423, 1256, 1638, 1671, 1675, 1284, 1287, 1311, 1692, 1676, 1681, 1688, and 977 taken up for consideration and will be taken up again next meeting.

The board adjourned at 1.30 p. m. to meet at 11 a. m. November 21, 1916.

NOVEMBER 21, 1916.

The board met at 11.05 a. m. in room 231.

Present: All the members.

Resumption of discussion of case No. 977.

At 1.25 p. m. adjourned to meet at 11 a. m. November 22, 1916.

NOVEMBER 22, 1916.

The board met at 11.15 a. m. in room 231.

Present: All the members.

The following cases were considered: 977, 1443, 1268, 1244, 1528, 1424, 990, 991, 992, 993, 2336, 1045, 1057, 1430, 1777, and 1696.

Adjourned at 1 p. m. to meet at 11 a. m. November 23, 1916.

NOVEMBER 23, 1916.

The board met at 11.10 a. m. in room 231.

Present: All the members.

It was moved and seconded that the Medal of Honor Board adjourn until 11 a. m. December 4, 1916, or until such time as it can be provided with a suitable room where its proceedings can be conducted without the frequent interruptions to which it is now subjected.

Carried unanimously.

The board adjourned at 11.15 a. m. to meet as above recorded.

DECEMBER 4, 1916.

The board met at 11 a. m. in room 231.

Present: All the members.

The following cases were considered: 1414; 1698; 1506; 1761; 1914; 1908; 1849; 1820; 1815; 1833; 1811; 2501; 2576; 1912; 1612; 1814; 1816, 1014 (83); 1181; 1467; 2503; 2098; 1510; 1265; 1278; 1304; 1685; 1334; 2506; 1964; 2206; 1428; 2265; 2320; 2388; 2494; 2460; 963; 2209, 2364 (86); 2505; 2462; 1005; 2312; 2239; 2392; 2405; 2305, 2469 (87); 2238; 2451; 2307; 2294; 2334; 2386, 2431 (88); 1286; 2342; 2112; 2343, 2453 (89); 2324; 2358; 2409; 2395; 1870 2488; 2393, 2434, 2452, 2368, 2417 (84); and 2319, 2437, 2276, 2429, 2468, 2450, 2438, 2401, 2328, 2456 (85).

At 1.10 p. m. adjourned to meet at 11 a. m., December 5, 1916.

DECEMBER 5, 1916.

The board met at 11 a. m. in room 231.

Present: All the members.

The following cases were considered: 2255; 2500, 2504 (82); 2321; 2353; 2227; 2482; 2467; 2376; 2249; 2477; 2453; 2237; 2303; 2216; 2253; 2257; 2397; 2338, 2369 (93); 2381; 2480, 2420 (92); 2217; 2287; 2426; 2213; 2428; 2210; 2279; 2221; 2222; 2269; 2231; 1013; 2224; 2225; 2240; 2236; 2246; 2344; 2486; 2470; 1004; 2444; 2442; 2356; 2318; 2315; 2304; 2292; 2285; 2284; 2492; 954; 2298; and 2398, 2341 (90).

The board adjourned at 1.05 p. m. to meet at 11 a. m., December 6, 1916.

DECEMBER 6, 1916.

The board met at 11.18 a. m. in room 456, War Department.

Present: All the members, except Gen. Sanger, who arrived at 11.30 a. m.

The following cases were considered: 2264; 2282; 2522; 2544; 2542, 2554 (94); 2525; 2570, 2568 (96); 2521, 2561 (95); 2524; 2523; 2559; 2580; 2536; 2563; 2581, 2588 (97); 2560; 2528; 2567; 2535; 2545; 2564; 2530; 2529; 2531; 2548, 2538 (98); 2532; 2537;

2533; 2555; 2539; 2541; 2543; 2540; 2550; 2552; 2558; 2565; 2566; 2573; 2574; 2575; 2577; 2578; 2579; and 2624.

The board adjourned at 1.05 p. m. to meet at 11 a. m., December 7, 1916.

DECEMBER 7, 1916.

The board met at 11 a. m. in room 456.

Present: All the members.

The following cases were considered: 2582, 2583, 2584, 2585, 2586, 2587, 2590, 2591, 2593, 2592, 2594, 1551, 1548, 2513, 2507, 2511, 2510, 2515, 2508, 2184, 2516, 2512, 2518, 2517, 2519, 2514, 2180, 2182, 2495, and 2421.

The board adjourned at 1.15 p. m., to meet Monday, December 11, 1916.

DECEMBER 11, 1916.

The board met at 11.05 a. m. in room 231.

Present: All the members.

The following cases were considered: 2178, 2176, 2174, 2183, 2157, 2155, 2162, 2163, 2164, 2156, 2158, 2160, 2165, 2166, 2167, and 2168.

The board adjourned at 1.20 p. m., to meet at 10 a. m., Tuesday, December 12, 1916.

DECEMBER 12, 1916.

The board met at 10.20 a. m. in room 231.

Present: All the members.

The following cases were considered: 2154, 2151, 2129, 2131, 2126, 2124, 2120, 2122, 2119, 2153, 2139, 2138, 2106, 2118, 2104, 2109, 2103, 1926, 2100, 2099, 2134, 1932, 1942, 1927, 1937, 1938, 1939, 1923, 1921, 1922, 2479, 2389, 1919, 1904, 1910, 1907, 1916, 1909, 2496, and 1903.

The board adjourned at 1.15 p. m., to meet Wednesday, December 13, 1916, at 10.30 a. m.

DECEMBER 13, 1916.

The board met at 11.05 a. m. in room 231.

Present: All the members.

The following cases were considered: 1900, 1901, 1899, 1898, 1893, 1894, 1896, 1897, 2414, 1325, 1580, 1412, 2502, 2111, 1293, 1283, 1299, 1295, 1409, 1290, 1166, 1408, 1407, and 1285.

The board adjourned at 1.05 p. m., to meet 11 a. m., Thursday, December 14, 1916.

DECEMBER 14, 1916.

The board met at 11 a. m. in room 231.

Present: All the members.

The following cases were considered: 1406, 1881, 1827, 1411, 1319, 1410, 1323, 1867, 1861, 1869, 1887, 1889, 1604, 1606, 1307, 1301, 1885, 1890, 1884, 1883, 1878, 1876, 1875, 1874, 1873, and 1871.

The board adjourned at 1 p. m. to meet Friday, December 15, 1916, 11 a. m.

DECEMBER 15, 1916.

The board met at 11 a. m. in room 231.

Present: All the members.

The following cases were considered: 1911, 1864, 1865, 1857, 1847, 1855, 1853, 1844, 1851, 1845, 1846, 1856, 1859, 1860, 1850, 1842, 1442,

1444, 1249, 1257, 1253, 1258, 1275, 1259, 1260, 1262, 1306, 1309, 1303, 1321, 1320, 1317, 1318, 1322, 1279, 1292, 1282, 1289, 1315, 1313, 1312, 1310, 1280, 1300, 1298, 1316, 1296, 1276, 1273, 1314, 1324, 1277, 1297, 1305, and 1862.

The board adjourned at 1.10 p. m. to meet 11 a. m., Monday, December 18, 1916.

DECEMBER 18, 1916.

The board met at 11 a. m. in room 231.

Present: All the members.

The following cases were considered: 1535, 1475, 1540, 1512, 1555, 1514, 1413, 1742, 1741, 1826, 1748, 1745, 1743, 1744, 1771, 1731, 1759, 1774, 1747, 1730, 1768, 1729, 1726, 1746, 1340, 1213, 1341, 1345, 1585, 1594, 1809, 1812, 1797, 1591, 1593, 1400, 1344, 1791, 1792, 1802, 1799, 1579, 1794, 1220, 1232, 1338, 1226, 1795, 1405, 1255, 1782, 1272, 1824, 1402, 1589, 1339, 1397, 1403, 1223, 1590, 1281, 1401, 1587, 1342, 1163, 1793, 1829, 1822, 1781, 1779, 1778, 1780, 1828, 1836, 1834, 1831, 1830, 1837, 1839, and 1796.

The board adjourned at 1.30 p. m. to meet 11 a. m., Wednesday, December 20, 1916.

DECEMBER 20, 1916.

The board met at 11 a. m. in room 231.

Present: All the members.

The following cases were considered: 1532, 1552, 1813, 1516, 1515, 1553, 1524, 1525, 1523, 1570, 1511, 1518, 1550, 1549, 1721, 1722, 1727, 1672, 1718, 1817, 1568, 1569, 1571, 1567, 1544, 1521, 1542, 1543, 1533, 1534, 1573, 1556, 1736, 1565, 1578, 1575, 1564, 1576, 1577, 1574, 1715, 1522, 1562, 1723, 1823, 1821, 1807, 1818, 1819, 1806, 1719, 1805, 1801, 1803, 1800, 1789, and 1709.

The board adjourned at 1.20 p. m. to meet 11 a. m. Friday, December 22, 1916.

DECEMBER 22, 1916.

The board met at 11 a. m. in room 231.

Present: All the members.

The following cases were considered: 1712, 1560, 1537, 1237, 1266, 1254, 1261, 1248, 1245, 1243, 1242, 1240, 1239, 1236, 1835, 1498, 1499, 1496, 1492, 1336, 1439, 1291, 1445, 1469, 1490, 1450, 1471, 1472, 1470, 1474, 1454, 1452, 1484, 1455, 1453, 1456, 1500, 1798, 1754, 1773, 1785, and 1783.

The board adjourned at 1.20 p. m. to meet 11 a. m. Tuesday, December 26, 1916.

DECEMBER 26, 1916.

The board met at 11.05 a. m. in room 231.

Present: All the members.

The following cases were considered: 1605, 1602, 1769, 1766, 1762, 1732, 1734, 1327, 1432, 1431, 1433, 1436, 1162, 1161, 1165, 1231, 1046, 1043, 1044, 1049, 1055, 1170, 1218, 1222, 1224, 1661, 1302, 1597, 1775, and 1051.

The board adjourned at 1.15 p. m. to meet 11 a. m. Thursday, December 28, 1916.

DECEMBER 28, 1916.

The board met at 11 a. m. in room 231.

Present: All the members.

The following cases were considered: 1172, 1173, 1051, 1180, 1171, 1219, 1221, 1169, 1536, 1507, 1404, 1501, 1504, 1225, 1247, 1270, 1238, 1175, 1168, 1229, 1179, 1178, and 1176.

The board adjourned at 1.10 p. m. to meet 11 a. m. Friday, December 29, 1916.

DECEMBER 29, 1916.

The board met at 11 a. m., room 231, pursuant to adjournment December 28, 1916.

Present: All the members.

Room 231 not being available on account of meeting of Board of Review, the board adjourned to meet 10.30 a. m., December 30, 1916.

DECEMBER 30, 1916.

The board met at 10.30 a. m. in room 231.

Present: All the members.

The following cases were considered: 1572, 1047, 1050, 1764, 1767, 1728, 1749, 1539, 1053, 1770, 1763, 1737, 1054, 1757, 1566, 1537, 1271, 1546, 1530, 1527, 1529, 1288, 1343, 1228, 1217, 1215, 1572, 1050, 1047, 1767, 1764, 1539, 1770, 1763, 1728, and 1749.

The board adjourned at 1.10 p. m. to meet Wednesday, January 3, 1917, at 10.30 a. m.

JANUARY 3, 1917.

The board met at 10.45 a. m. in room 456.

Present: All the members with the exception of Gen. Young—ill.

The following cases were considered: 951, 953, 957, 956, 970, 964, 1274, 1011, 1056, 1517, 1558, 1059, 1554, 1561, 1538, 1750, 1720, 1650, 952, 1274, 1332, 1519, 1326, 1438, 1725, 1520, 1547, 1508, 1435, 1711, 1710, 1717, 1328, 1335, 1329, 1735, 1052, 1477, 1451, 1164, 1449, 1465, 1174, 1739, 1241, 1505, 1437, 1447, 1448, 997, and 976.

The board took a recess at 1.30 p. m. to meet at 4 p. m., same date.

After recess the following cases were considered: 1233, 1234, 1230, 1269, 1541, 1483, 1434, 1491, 1440, 1468, 1559, 1563, 1753, 1333, 1526, 1447, 1448, and 997.

The board adjourned at 6.15 p. m. to meet January 4, 1917, at 10.30 a. m.

JANUARY 4, 1917.

The board met at 10.30 a. m., room 231.

Present: All the members except Gen. Young, who was ill.

The following cases were considered: 1476, 1765, 1531, 1758, and 1733; 1263 reconsidered.

The board took a recess from 12.15 until 4 p. m.

A number of cases were reconsidered, and at 5.20 p. m., having completed the consideration of 2,625 cases in all, adjourned to meet at the call of the President.

JANUARY 17, 1917.

The board met at 11 a. m., at Gen. Young's quarters, United States Soldiers' Home.

Present: All members except Gen. Miles.

Rough draft of official report was read, and after discussion was adopted.

The board at 12.45 p. m. adjourned sine die.

O. J. CHARLES,
Major, Quartermaster Corps.

Names and organizations of recipients of the congressional medal of honor stricken from the official medal of honor list in accordance with the findings and report of the board of officers convened by the Secretary of War under the provisions of section 122 of the national-defense act of June 3, 1916.

TWENTY-SEVENTH MAINE INFANTRY.

Name of soldier.	Designation of organization.	Name of soldier.	Designation of organization.
Abbott, Charles E.....	Company K.	Bradbury, Charles W....	Company A.
Abbott, George H.....	Company B.	Bradbury, Eben H. C....	Do.
Adams, Clement J.....	Company K.	Bradbury, Edward.....	Do.
Adams, John F.....	Company G.	Bradbury, Henry M.....	Do.
Adams, John W.....	Company B.	Bradbury, Joseph F.....	Do.
Adams, Lucien.....	Company F.	Bradeen, Alexander M....	Company K.
Adjutant, George W.....	Company I.	Bradeen, Henry.....	Company D.
Adlington, Thomas A....	Company G.	Bragdon, Benjamin T....	Do.
Allen, Charles H.....	Do.	Bragdon, Edmund, Jr....	Company H.
Allen, Jeddiah.....	Company E.	Bragdon, James A.....	Company E.
Allen, Samuel L.....	Company D.	Bragdon, Sumner.....	Company H.
Allen, Seth G.....	Company B.	Bridges, Joseph.....	Company E.
Allen, William A.....	Company E.	Brooks, Nathaniel.....	Do.
Anderson, Amos S.....	Do.	Brown, Cyrus E.....	Company A.
Anderson, William A....	Company H.	Briard, Robert.....	Company G.
Anderson, William R....	Company E.	Brown, James H.....	Company I.
Andrews, Chase.....	Company F.	Brown, James W.....	Company G.
Andrews, James E.....	Company H.	Brown, John.....	Company B.
Atkins, Charles P.....	Company A.	Brown, John W.....	Company K.
Auld, William M.....	Company E.	Brown, Lorenzo T.....	Company H.
Ayer, William H. H.....	Company H.	Brown, Philip A.....	Company C.
Bail, William.....	Company C.	Bryant, Frederick S.....	Company D.
Bailey, Albert.....	Company F.	Bryant, Seth E.....	Company I.
Baker, Albert.....	Company K.	Burbank, Arthur C.....	Company A.
Banfield, Philip.....	Company E.	Burbank, Horace H.....	Quartermaster sergeant.
Bangs, Willard.....	Company C.	Burbank, John P.....	Company H.
Barker, William B.....	Company A.	Burbank, Luther S.....	Do.
Barnes, Benjamin.....	Company K.	Burbank, Monroe A.....	Company K.
Barrows, David S.....	Company A.	Burbank, Porter M.....	Company A.
Bartlett, Charles S.....	Company E.	Burnell, Nathaniel A....	Company H.
Bartlett, Joseph W.....	Company I.	Burnes, George.....	Company D.
Bates, Marcus.....	Company D.	Burnes, James.....	Company F.
Bean, Lewis L.....	Do.	Burnham, Charles L.....	Company I.
Bennett, Augustus.....	Company B.	Burnham, Eben.....	Company F.
Benson, James A.....	Company D.	Burnham, Elbridge.....	Do.
Berry, Edward M.....	Company C.	Burnham, Francis M.....	Do.
Berry, John.....	Do.	Burnham Thatcher W....	Company H.
Berry, Moses G.....	Company G.	Bussell, George.....	Company I.
Berry, William.....	Do.	Bussell, John C.....	Do.
Berry, William.....	Company C.	Butland, Francis.....	Company F.
Bisbee, Charles D.....	Company F.	Butland, Nathaniel.....	Company I.
Bisbee, Orrin S.....	Company E.	Butler, Benjamin H.....	Company D.
Black, George E.....	Company H.	Butler, William N.....	Do.
Blanchard, Jacob S.....	Company G.	Butler, Willis H.....	Company F.
Blanchard, Stephen.....	Company I.	Butrick, Benjamin.....	Company I.
Blood, Charles H.....	Company F.	Buzzell, Elijah S.....	Company K.
Boody, Sylvester O.....	Company C.	Buzzell, Jacob L.....	Company H.
Boston, Elijah F.....	Company B.	Call, Nathan.....	Do.
Bowden, Charles A.....	Company G.	Came, Frank.....	Company B.
Boynton, Granville M....	Company A.	Carl, William F.....	Company C.
Bracey, James F.....	Company G.	Carpenter, John R.....	Company K.
Bracey, John.....	Company I.	Carpenter, Whitney R....	Company B.
Brackett, David H.....	Company B.	Carpenter, William H....	Do.
Brackett, Lorenzo D.....	Company F.	Carr, William T.....	Company G.

Names and organizations of recipients of the congressional medal of honor stricken from the official medal of honor list, etc.—Continued.

TWENTY-SEVENTH MAINE INFANTRY—Continued.

Name of soldier.	Designation of organization.	Name of soldier.	Designation of organization.
Cary, Michael.....	Company F.	Dockham, George A.....	Company B.
Casson, Joseph.....	Company A.	Doe, Joseph D.....	Do.
Center, John W.....	Company K.	Dieg, Thomas.....	Company I.
Chadbourne, Francis T.....	Do.	Dorman, George H.....	Company K.
Chadbourne, James M.....	Do.	Doun, Reuben.....	Company C.
Chadbourne, Joseph E.....	Company F.	Dow, Simon B.....	Do.
Chadbourne, Henry A.....	Company C.	Downs, Archibald S.....	Company I.
Chadbourne, Nathan.....	Company K.	Downs, David, Jr.....	Do.
Chadbourne, Thomas.....	Company B.	Drew, John.....	Company F.
Chadwick, Nathan A.....	Company F.	Drown, Alonzo J.....	Company I.
Chaney, Andrew.....	Company B.	Drown, Orlando.....	Do.
Chaney, Charles H.....	Do.	Dunn, Alanson.....	Company A.
Chaney, Joseph.....	Company E.	Dunn, Daniel.....	Do.
Chapman, Charles.....	Company F.	Dunn, John K.....	Company C.
Chapman, William.....	Company E.	Dunn, William S.....	Do.
Chapman, William W.....	Company G.	Dunnell, Samuel, Jr.....	Do.
Chase, Joseph T.....	Company B.	Dunnell, Samuel L.....	Do.
Chase, Josiah, Jr.....	Company E.	Dunnells, Loring.....	Company H.
Chase, Romantay F.....	Company G.	Dunnells, Mark W.....	Company K.
Chellies, Albion K. P.....	Company A.	Duran, William.....	Company C.
Chellis, Frank.....	Company K.	Durgin, Albion L.....	Company F.
Chellis, Oscar D.....	Do.	Durgin, Almon C.....	Do.
Chick, Hansom D.....	Do.	Durgin, George W.....	Company B.
Chick, Sylvester.....	Company G.	Dyer, Charles H.....	Company C.
Chute, Albion.....	Company H.	Dyer, William.....	Do.
Clark, Elisha E.....	Company A.	Eastman, Frank.....	Company H.
Clark, John E.....	Company H.	Eaton, Walter.....	Company E.
Clarvage, Samuel J. C.....	Company E.	Edgerly, George W.....	Company C.
Clements, Henry.....	Company D.	Edgerly, Samuel H.....	Company F.
Clements, James H.....	Do.	Edwards, George W.....	Company E.
Clough, Charles.....	Company G.	Eldridge, Edward W.....	Company B.
Clough, Charles H.....	Company F.	Eldridge, Philander.....	Company C.
Clough, George W.....	Do.	Eldridge, William H.....	Company D.
Clough, Levi.....	Company C.	Elliot, Isaac.....	Company A.
Cluff, George W.....	Company I.	Elliot, William L.....	Company F.
Cluff, Samuel.....	Company A.	Emerson, George W.....	Company I.
Cobb, Charles.....	Do.	Emery, Franklin.....	Company B.
Cochran, Adam.....	Company D.	Emery, Isaac M.....	Company I.
Coffin, Onsville C.....	Company K.	Emery, John F.....	Company D.
Cole, Al S.....	Company G.	Emery, John H.....	Company E.
Cole, Charles E.....	Company H.	Emery, William R.....	Do.
Cole, George C.....	Company E.	Emmons, D. Taylor.....	Company I.
Cole, John.....	Company I.	Emmons, George.....	Do.
Cole, John W.....	Company F.	Emmons, George W.....	Do.
Cole, Robert.....	Do.	Emmons, John.....	Do.
Conner, John.....	Company A.	Emmons, John G.....	Do.
Cook, Charles R.....	Company K.	Emmons, Joseph R.....	Company K.
Cooper, Benjamin F.....	Company B.	Ethridge, Stephen L.....	Company E.
Corson, George M.....	Company D.	Fairfield, Lendol N.....	Company C.
Cottle, Oliver.....	Company G.	Fall, Henry R.....	Company D.
Cotton, Charles.....	Company D.	Fall, Howard S.....	Do.
Cousens, William G.....	Company I.	Fall, Isaac P.....	Company B.
Cousins, Francis J.....	Company A.	Favour, Horace H.....	Company A.
Cousins, William A.....	Company H.	Fenderson, Charles W.....	Do.
Crenn, Patrick.....	Company F.	Ferguson, George A.....	Company K.
Cresnor, George G.....	Company K.	Fernald, Alonzo.....	Company G.
Crossey, Horace.....	Company C.	Fernald, Benjamin.....	Do.
Cribby, George.....	Company F.	Fernald, Simon.....	Do.
Cross, Charles M.....	Assistant surgeon.	Fernald, Stephen.....	Company K.
Currier, George E.....	Company E.	Fitzgerald, David.....	Company D.
Davis, Albert H.....	Company K.	Flanders, Daniel C.....	Company C.
Davis, Charles.....	Company H.	Flanders, George W.....	Company G.
Davis, Charles A.....	Company E.	Flood, Ebenezer T.....	Company K.
Davis, Charles I.....	Company K.	Floyd, Daniel.....	Company A.
Davis, Frank M.....	Company D.	Fly, Stephen S.....	Company H.
Davis, William G.....	Company A.	Ford, Alvin A.....	Company D.
Day, Benjamin N.....	Company E.	Foss, Edward L.....	Company F.
Day, Silas.....	Company H.	Foss, Enos L.....	Company C.
Day, Thurston P. M.....	Do.	Foss, James L.....	Company A.
Daymon, George W.....	Company G.	Foss, Robert.....	Do.
Dearborn, Charles.....	Company K.	Foss, William A.....	Company F.
Dearborn, Paul C.....	Company C.	Foster, Charles H.....	Company H.
Dearborn, Richard.....	Company A.	Foster, John B.....	Company C.
Decoff, Charles.....	Company G.	Fowler, Edward S.....	Company K.
Dennett, Alvan A.....	Company C.	Fowler, Frank.....	Company A.
Dennett, Reuben.....	Company B.	Foye, Isaac M.....	Company G.
Desbon, Elijah B.....	Company K.	Freeman, John W.....	Company D.
Dillingham, John L.....	Company B.	Frisbee, Josiah P.....	Company G.
Dixon, Edmund A.....	Company G.	Frost, Harrison T.....	Do.
Dixon, Joseph H.....	Do.		

Names and organizations of recipients of the congressional medal of honor stricken from the official medal of honor list, etc.—Continued.

TWENTY-SEVENTH MAINE INFANTRY—Continued.

Name of soldier.	Designation of organization.	Name of soldier.	Designation of organization.
Frost, Hugh A.....	Company E.	Hanscome, Lyman M...	Company B.
Fuller, Edwin.....	Company F.	Hanson, John S.....	Do.
Fullerton, David B.....	Company D.	Hanson, Lewis B.....	Company D.
Gallagher, Edward H.....	Company F.	Hanson, Lorenzo S.....	Company B.
Gallison, Greenleaf W.....	Company A.	Hardison, Ezra H.....	Company D.
Garland, Albra.....	Company I.	Harmon, Charles H.....	Company C.
Garland, Charles E.....	Do.	Harmon, Charles L.....	Do.
Garland, John.....	Company C.	Harmon, Frank L.....	Company A.
Garvin, Paul W.....	Company K.	Harmon, Frederick M.....	Company I.
Garvin, Samuel H.....	Company H.	Harmon, Samuel C.....	Company C.
Gerrish, Alfred J. W.....	Company D.	Harmond, Nelson.....	Company B.
Gerrish, George W.....	Company E.	Harriman, Aaron.....	Company F.
Gerrish, Noah W.....	Company H.	Harvey, Augustus.....	Company D.
Gerry, Jotham H.....	Company G.	Harvey, Charles A.....	Company B.
Getchell, Albert F.....	Company E.	Harvey, Henry G.....	Do.
Getchell, Emlus J.....	Do.	Harvey, John W.....	Do.
Getchell, John M.....	Do.	Hasty, Granville.....	Do.
Getchell, Marcus M.....	Do.	Hasty, Winfield F.....	Company A.
Getchell, Samuel M.....	Do.	Hatch, Elmore J.....	Company E.
Giles, Jesse.....	Do.	Hatch, James W.....	Company B.
Gilpatrick, William.....	Company K.	Hatch, Joseph E.....	Company E.
Gooch, Charles W.....	Company I.	Hayes, Calvin L.....	Sergeant major.
Gooch, Hiram T.....	Do.	Hayes, Charles E.....	Company G.
Gooch, John B.....	Do.	Hayes, Frederick.....	Company D.
Gooch, William H.....	Do.	Hayes, George H.....	Company G.
Goodsoe, Herbert.....	Company G.	Hayes, John C.....	Company A.
Goodwin, Alonzo.....	Company F.	Hayes, John M.....	Company K.
Goodwin, Charles A.....	Company B.	Hayes, John W.....	Company G.
Goodwin, Charles H.....	Company D.	Hayes, Samuel D.....	Company D.
Goodwin, Eben M.....	Company K.	Henderson, Alvah.....	Company A.
Goodwin, Frank.....	Company F.	Hersom, John H.....	Company D.
Goodwin, Henry J.....	Company K.	Higley, Albert A.....	Company B.
Goodwin, Ivory L.....	Company B.	Higley, Eben N.....	Do.
Goodwin, James M.....	Company D.	Hill, Albert G.....	Company H.
Goodwin, James W.....	Company B.	Hill, Barnabas R.....	Company I.
Goodwin, John M.....	Company H.	Hill, Daniel.....	Company C.
Goodwin, Joseph B.....	Company D.	Hill, Frederick R.....	Company E.
Goodins, William H.....	Company A.	Hill, John D.....	Major.
Gordon, Charles S.....	Company D.	Hill, John R.....	Company G.
Gordon, George.....	Company I.	Hill, Joseph H.....	Company A.
Gordon, Henry.....	Do.	Hill, Samuel L.....	Company I.
Gould, James H.....	Company C.	Hilton, Charles A.....	Company H.
Gove, George A.....	Company A.	Hilton, John, Jr.....	Company E.
Gowell, Benjamin.....	Company H.	Hodgdon, Flanders.....	Company H.
Gowen, Walter A.....	Company F.	Hodgdon, Freeman.....	Do.
Gowen, William B.....	Company E.	Hodgdon, Hiram.....	Company A.
Grace, Hiram M.....	Company G.	Hodsdon, David.....	Company C.
Graffam, Joseph.....	Company A.	Hogan, Edward W.....	Company B.
Graffam, Joseph.....	Company C.	Holt, Otis C.....	Company G.
Graffam, William.....	Company H.	Hooper, Timothy S.....	Company K.
Grant, Daniel W.....	Company E.	Hooper, William H.....	Company B.
Grant, Elijah M.....	Company A.	Hopkins, Jonathan C.....	Company A.
Grant, George W.....	Company H.	Hopkinson, James M.....	Company C.
Grant, Nicholas.....	Company I.	Horn, Reuben.....	Company K.
Grant, Seth, Jr.....	Company K.	Horn, Rufus A.....	Company H.
Gray, John.....	Company B.	Hubbard, Alonzo.....	Company E.
Gray, Sylvester.....	Do.	Hubbard, Charles S.....	Company I.
Greenleaf, Edgar.....	Company G.	Hubbard, George.....	Do.
Guilford, Charles.....	Company C.	Huntress, John.....	Company H.
Guptill, Daniel.....	Company F.	Hurd, Edwin.....	Do.
Guptill, John A.....	Company D.	Hurd, George.....	Do.
Gurney, Fred S.....	Company A.	Hurd, John A.....	Do.
Hadlock, Charles H.....	Company F.	Hurd, John H.....	Company D.
Haley, Albert.....	Do.	Hurd, Moses S.....	Company B.
Haley, James C.....	Company I.	Hurd, Nathaniel N.....	Company D.
Haley, Thomas.....	Company F.	Hurd, Sylvester.....	Company H.
Hall, Freeman.....	Assistant surgeon.	Hurd, Thomas S.....	Company D.
Hall, Ivory A.....	Company K.	Hussey, Luther G.....	Company F.
Hall, John.....	Company E.	Hussey, Ralph R.....	Company H.
Ham, George C.....	Company K.	Hutchins, Charles L.....	Company D.
Ham, Norris S.....	Do.	Hutchins, Erastus K.....	Company K.
Ham, Orrin F.....	Company A.	Hutchins, Ezra.....	Do.
Hampson, Charles.....	Company F.	Hutchins, Frank A.....	Do.
Hanscom, Albert.....	Company G.	Hutchins, George.....	Do.
Hanscom, Charles H.....	Company I.	Hutchins, Octavius.....	Do.
Hanscom, Elias.....	Company K.	Hutchins, William H.....	Company D.
Hanscom, John F.....	Company G.	Jackson, Anthony.....	Company I.
Hanscom, William L.....	Company D.	Jacobs, Charles.....	Company E.

Names and organizations of recipients of the congressional medal of honor stricken from the official medal of honor list, etc.—Continued.

TWENTY-SEVENTH MAINE INFANTRY—Continued.

Name of soldier.	Designation of organization.	Name of soldier.	Designation of organization.
Jeffords, Henry.....	Company D.	Loud, Elbridge.....	Company H.
Jellison, John W.....	Company E.	Lowell, John H.....	Company A.
Jellison, Joshua C.....	Company B.	Lowell, Moses.....	Do.
Jellison, William H.....	Do.	Lunt, John W.....	Company K.
Jenkins, Charles W.....	Do.	Lydston, Charles.....	Company G.
Jennison, Maverick M.....	Company D.	Maddox, John F.....	Company K.
Jewell, Roscoe.....	Company H.	Magrath, George.....	Company F.
Johnson, Daniel E.....	Company A.	Manning, George F.....	Company D.
Johnson, David E.....	Company H.	Manson, Albert.....	Company G.
Johnson, Edward P.....	Company E.	Manson, Charles H.....	Company C.
Johnson, Ivory.....	Do.	Manson, Edwin R.....	Company A.
Johnson, John, Jr.....	Company C.	Manson, Horatio.....	Company G.
Johnson, John O.....	Company H.	Manson, John S.....	Company I.
Johnson, Solomon.....	Company D.	Manson, John W.....	Company B.
Jordon, George H.....	Company A.	Marr, Cyrus G.....	Commissary sergeant.
Jose, Thomas L.....	Company I.	Marriner, James S.....	Company C.
Judge, Patrick.....	Company F.	Marston, Charles N.....	Company F.
Keay, John F.....	Company A.	Martin, Frank W.....	Company B.
Keays, William W.....	Company B.	Martin, John.....	Company C.
Keen, Hamden C.....	Company G.	Martin, Lyman R.....	Company E.
Keen, Josiah E.....	Do.	Mason, Albert D.....	Company F.
Keene, Harrison M.....	Company H.	Mason, Joseph T.....	Company I.
Kennison, Horace.....	Company G.	McGuire, Adam, Jr.....	Company D.
Kerr, William.....	Company B.	McIntire, Charles.....	Company K.
Kidder, George E.....	Company H.	McKenney, Abner.....	Company H.
Kimball, Alpheus T.....	Company I.	McKenney, Benjamin R.....	Company K.
Kimball, Charles.....	Do.	McKenney, Charles F.....	Company H.
Kimball, John E. L.....	Surgeon.	McKenney, Enoch.....	Do.
Kimball, Lewis.....	Company C.	McLaughlin, Dennis.....	Company B.
King, Thomas J.....	Company K.	Mealy, John.....	Company G.
Kinrick, Eben S.....	Company C.	Merrill, Charles H.....	Company A.
Kirwin, James.....	Company F.	Merrill, Frederick A.....	Company C.
Knight, Edward F.....	Company A.	Merrill, Jonas F.....	Company I.
Knight, John H.....	Company C.	Merrill, Samuel.....	Company C.
Knight, Porter.....	Company K.	Mildram, Frank S.....	Company D.
Knight, Roscoe G.....	Company G.	Miles, George S.....	Company A.
Knox, George F.....	Do.	Miles, Thomas P.....	Do.
Knox, Hosea B.....	Company D.	Miller, Caleb L.....	Company F.
Lampkin, Gilman H.....	Company B.	Miller, Mark.....	Company D.
Lane, George.....	Company C.	Millerkin, William, jr.....	Company C.
Larrabee, Edward N.....	Company I.	Milliken, Charles H.....	Company E.
Lawry, Franklin E.....	Company G.	Milliken, John S.....	Company A.
Learned, Peter.....	Company K.	Milliken, Moses S.....	Company F.
Leavett, Henry.....	Company C.	Milliken, Nathaniel M.....	Do.
Lewis, Gilman.....	Company A.	Mills, Elihu J.....	Company B.
Libby, Aaron R.....	Company D.	Mitchell, Charles H.....	Company K.
Libby, Arthur.....	Company H.	Mitchell, Deodat.....	Company F.
Libby, Benjamin F.....	Company A.	Mitchell, Edwin.....	Company G.
Libby, Charles G.....	Do.	Mitchell, Joseph S.....	Company A.
Libby, Fred, W.....	Do.	Mitchell, Joseph S., jr.....	Company F.
Libby, George H.....	Company C.	Moody, Charles H.....	Company I.
Libby, Philander H.....	Company B.	Moody, James E.....	Do.
Libby, Samuel H.....	Company A.	Moody, William H.....	Do.
Littlefield, Charles H.....	Company K.	Moore, George A.....	Company B.
Littlefield, Emmorscn.....	Company I.	Moore, John.....	Company H.
Littlefield, Franklin.....	Company G.	Morgan, William F.....	Company K.
Littlefield, George.....	Company F.	Morrison, Ivory C.....	Company H.
Littlefield, Henry.....	Company I.	Moulton, Alcnzo P.....	Do.
Littlefield, James H.....	Company B.	Moulton, Charles H.....	Company I.
Littlefield, Jedidiah.....	Do.	Moulton, Erastus.....	Do.
Littlefield, John.....	Company G.	Mugridge, Samuel.....	Company G.
Littlefield, John T.....	Company F.	Murch, Orrin.....	Company C.
Littlefield, Joseph F.....	Company E.	Murphy, John B.....	Company F.
Littlefield, Joshua D.....	Do.	Murphy, Joseph W.....	Company K.
Littlefield, Josias.....	Do.	Nason, Andrew J.....	Company F.
Littlefield, Ralph.....	Do.	Nascn, Freeman.....	Company C.
Littlefield, Reuben O.....	Do.	Nascn, John.....	Company G.
Littlefield, Thaddeus.....	Company B.	Nascn, Luther.....	Company B.
Locke, Thomas D.....	Company F.	Nascn, Nathan P.....	Company C.
Lombard, Osbriht A.....	Do.	Nascn, Robert.....	Company B.
Longee, Lorenzo J.....	Company K.	Nascn, Samuel E.....	Company I.
Lord, Charles E.....	Company H.	Nascn, William H.....	Company ..
Lord, Edward.....	Do.	Neal John, F.....	Company B.
Lord, Ezekiel S.....	Company D.	Needham, Frank E.....	Company E.
Lord, George A.....	Do.	Nesbigin, Luke L.....	Company K.
Lord, John W.....	Company E.	Nichol, Franklin.....	Company C.
Lord, Lyman.....	Company D.	Nickolson, Edward P.....	Company B.
Lord, Timothy H.....	Do.		

Names and organizations of recipients of the congressional medal of honor stricken from the official medal of honor list, etc.—Continued.

TWENTY-SEVENTH MAINE INFANTRY—Continued.

Name of soldier.	Designation of organization.	Name of soldier.	Designation of organization.
Noble, John M.	Company A.	Ridlon, Henry	Company A.
Norman, Charles B.	Company B.	Ridlon, John	Do.
Norton, Clark H.	Company H.	Ridlon, William	Company H.
Norton, Eben H.	Company C.	Rines, George W.	Do.
Norton, Leonard	Do.	Roberts, Alvah	Company I.
Nute, Ivory H.	Company D.	Roberts, Dimond, Jr.	Do.
O'Brien, Lewis	Quartermaster.	Roberts, George H.	Do.
Okes, George W.	Company I.	Roberts, John	Company G.
Ordway, Moses	Company H.	Roberts, Joshua	Do.
Osgood, Henry B.	Company I.	Roberts, Luke H.	Company I.
Otis, William M.	Company G.	Roberts, William F.	Do.
Owen, Elijah J. C.	Company C.	Robinson, Edwin A.	Company A.
Owen, Mark L. H.	Do.	Robinson, Emery S.	Company I.
Owen, Melville C.	Do.	Robinson, George E.	Do.
Packard, Charles F.	Company A.	Robinson, Horace V.	Do.
Page, Amos W.	Company F.	Robinson, Omen W.	Do.
Palmer, James W.	Company C.	Ross, Albert	Company C.
Parker, Benjamin F.	Company G.	Ross, Hough	Company H.
Parker, Horace B.	Do.	Rounds, Daniel	Company A.
Parker, Joseph D.	Do.	Rounds, Joseph G.	Company C.
Parody, John	Company F.	Rounds, Melville K.	Do.
Patch, John, Jr.	Company K.	Rowell, Alexander	Company B.
Patterson, Gardiner	Company A.	Russell, Otis F.	Chaplain.
Patterson, Mark	Do.	Sadler, Edwin A.	Company H.
Paul, Elbridge R.	Company G.	Sampson, Moses T.	Company F.
Paul, Henry M.	Do.	Sanborn, Charles P.	Company H.
Peavey, Chandler	Company I.	Sanborn, Charles P.	Company K.
Pendexter, Paul	Company H.	Sanborn, Elias	Company C.
Pennell, Horace	Company C.	Sanborn, John W.	Company D.
Perkins, George D.	Company H.	Sanborn, Nelson	Do.
Perkins, James G.	Company E.	Sanborn, Warren G.	Company A.
Perkins, John	Company B.	Sawyer, Isaac	Company H.
Perkins, John W.	Company F.	Sawyer, Joseph R.	Company C.
Perkins, Otis W.	Company I.	Sawyer, Obediah	Company A.
Perkins, Samuel	Company F.	Scammon, Nicholas	Company F.
Perry, Pharaoh	Company D.	Scates, David W. C.	Company H.
Perry, William R.	Do.	Scriggins, Charles H.	Company G.
Pettigrew, Colby H.	Company G.	Seavey, Frank	Company A.
Pettigrew, John	Do.	Sewall, Joseph A.	Company G.
Philbrick, Ira A.	Company H.	Shapleigh, Dennis M.	Do.
Philbrick, Robert S.	Company E.	Shapleigh, John	Do.
Phillips, Rufus	Company A.	Shapleigh, Morris G.	Do.
Phillips, Trafton	Company E.	Shapleigh, Roscoe G.	Do.
Pickernell, Richard	Company G.	Shapleigh, William H.	Do.
Pierce, Charles A.	Company D.	Shaw, J. Lyman	Company D.
Pierce, Daniel	Company G.	Shehan, George R.	Company F.
Pierce, Henry B.	Company D.	Shory, Henry W.	Company B.
Pierce, Sylvester	Company B.	Simpson, Enoch A.	Company C.
Pierce, William B.	Company F.	Skiffings, Daniel	Do.
Pike, Charles M.	Company A.	Skiffings, Lorenzo D.	Company F.
Pike, George B.	Company E.	Skinner, John B.	Do.
Pike, William C.	Company B.	Small, Alfred	Company H.
Pillsbury, Woodman	Company K.	Small, Arthur L.	Company K.
Piper, Horace L.	Do.	Small, John C.	Company H.
Pitts, George	Do.	Small, Lewis L.	Company A.
Plumer, Jeremiah	Company F.	Small, Roland E.	Company F.
Plumer, William	Company A.	Smart, Almond O.	Company H.
Poole, James A.	Company F.	Smith, Amasa	Company F.
Pray, William H.	Company B.	Smith, Atwood F.	Company H.
Pray, William A.	Company D.	Smith, Charles B.	Do.
Prescott, Alpheus	Company A.	Smith, Charles F.	Do.
Prescott, Roswell	Do.	Smith, Charles T.	Do.
Prescott, Wallace	Do.	Smith, George L.	Company K.
Quimby, Hosea M.	Company D.	Smith, James B.	Do.
Quinn, James	Do.	Smith, James H.	Company A.
Ramsdell, Paul R.	Do.	Smith, James M.	Company H.
Rand, Edward M.	Adjutant.	Smith, Libby H.	Company K.
Redlon, Gideon W. T.	Company C.	Smith, Milbury S.	Company C.
Redlon, Isaac	Do.	Smith, Ransom E.	Company H.
Reed, George C.	Company K.	Smith, Rice	Company K.
Rhodes, Israel K.	Company E.	Smith, Samuel S.	Company E.
Richards, Orin E.	Company F.	Smith, Stillman C.	Company H.
Richardson, Joseph P.	Company E.	Smith, William	Company G.
Ricker, Alonzo F.	Company A.	Smith, William M.	Company F.
Ricker, Phendeus H.	Company K.	Smith, Woodbury	Company D.
Ricker, Timothy F.	Company B.	Spaulding, Wallis	Company F.
Ridley, Joseph	Company E.	Spencer, Joseph T.	Company B.
Ridley, Joseph H.	Company I.	Spencer, Joshua C.	Do.

Names and organizations of recipients of the congressional medal of honor stricken from the official medal of honor list, etc.—Continued.

TWENTY-SEVENTH MAINE INFANTRY—Continued.

Name of soldier.	Designation of organization.	Name of soldier.	Designation of organization.
Spinney, James P.....	Company G.	Walker, George M.....	Company H.
Spinney, Nicholas E.....	Do.	Wallingford, Daniel.....	Company D.
Spinney, Stephen S.....	Do.	Walls, Thomas.....	Company C.
Stacy, Uranus.....	Company A.	Ward, George H.....	Company A.
Stanley, John R.....	Company I.	Warren, Chadbourne.....	Company B.
Staples, Charles F.....	Company A.	Warren, Joseph F.....	Company C.
Staples, William H.....	Company G.	Warren, Nathaniel F.....	Company B.
Staples, William M.....	Company I.	Watson, Daniel.....	Company A.
Steadfast, Thomas S.....	Company C.	Watson, George W.....	Company F.
Stevens, Charles E.....	Company B.	Watson, Seth.....	Do.
Stevens, Herriman.....	Company E.	Webber, Alfred C.....	Do.
Stevens, Osgood W.....	Company F.	Webber, Orin B.....	Do.
Stevenson, William.....	Company G.	Webber, William C.....	Company K.
Stillings, Calvin.....	Company D.	Weeks, Noah.....	Company H.
Stimpson, Thomas J.....	Company A.	Welch, Charles H.....	Do.
Stone, James M.....	Lieutenant colonel.	Welch, Wentworth.....	Company B.
Stone, Lewis G.....	Company H.	Wells, Alexander B.....	Company E.
Stone, Simon, Jr.....	Company K.	Wells, Hartley L.....	Company I.
Stover, Eben.....	Company H.	Wells, John.....	Company G.
Sweetsir, John W.....	Company A.	Wells, Octavius E.....	Company I.
Sweetsir, Stephen E.....	Do.	Wentworth, Albert F.....	Company B.
Sweet, Augustus D.....	Company C.	Wentworth, Bradford H.....	Do.
Tapley, David G.....	Company A.	Wentworth, Enoch J.....	Company K.
Tapley, William H.....	Do.	Wentworth, Henry J.....	Company B.
Tarbox, Alphonso.....	Company F.	Wentworth, Lewis H.....	Company H.
Tarbox, George.....	Company C.	Wentworth, Mark F.....	Colonel.
Tarbox, Thomas B.....	Company F.	Wentworth, Samuel T.....	Company B.
Taylor, Calvin M.....	Company E.	Wentworth, William.....	Company H.
Taylor, Daniel D.....	Company K.	West, Silas.....	Do.
Taylor, George A.....	Company E.	Wheelwright, Moses F.....	Company E.
Taylor, George W.....	Company I.	White, Joseph H.....	Company I.
Taylor, Horace.....	Do.	Whitehead, John.....	Company F.
Taylor, Oliver G.....	Company K.	Whitehouse, Harrison.....	Company B.
Thompson, Adrial, Jr.....	Company E.	Whitehouse, Joseph A.....	Company I.
Thompson, Caleb.....	Company K.	Whitten, John C.....	Do.
Thompson, George F.....	Do.	Wiggin, George A.....	Company B.
Thompson, Henry C.....	Company C.	Wiggin, James F.....	Do.
Thompson, George W.....	Company E.	Wiggin, John H.....	Do.
Thompson, William S.....	Company K.	Wiggin, John W.....	Company C.
Thorn, David.....	Company C.	Wiggin, Mark N.....	Company H.
Thurston, Milton.....	Company D.	Wilds, Erastus.....	Company D.
Tibbetts, Charles H.....	Company F.	Wilkinson, Stephen.....	Company E.
Tobey, Samuel A.....	Company G.	Willey, Andrew.....	Company B.
Tobey, William W.....	Do.	Willey, Frederick L.....	Company G.
Tompson, William.....	Company B.	Williams, Joseph B.....	Do.
Trafton, Ham. N.....	Company K.	Williams, Josiah.....	Do.
Trafton, Osborn.....	Company I.	Wilson, Charles W.....	Company A.
Trefethern, Horatio W.....	Company G.	Wilson, George.....	Company G.
Tripp, Charles D.....	Company I.	Wilson, John R.....	Company K.
Tripp, Pelatiah R.....	Do.	Wilson, Joseph D.....	Company B.
Tucker, Charles H.....	Company B.	Wingate, Jesse B.....	Company A.
Tucker, Daniel H.....	Do.	Winn, Oliver A.....	Company E.
Tucker, William H.....	Company G.	Witham, Josiah W., Jr.....	Company H.
Tufts, John W.....	Company B.	Woodsome, James L.....	Company B.
Tufts, Wilson C.....	Do.	Wormwood, John P.....	Company I.
Twombly, Henry W.....	Do.	Worster, Charles H.....	Company D.
Varney, Aaron.....	Company H.	Wright, George C.....	Company I.
Varney, Elijah.....	Company G.	York, Charles F.....	Company F.
Wadleigh, Charles H.....	Company B.	York, Enoch.....	Company E.
Wadleigh, Elisha.....	Company A.	York, George H.....	Do.
Wadsworth, Alexander.....	Company H.	York, William H.....	Do.
Wadsworth, Marshall L.....	Do.	Young, Augustus D.....	Company G.
Waltt, John H.....	Company E.	Young, John.....	Company K.
Wakefield, George W.....	Company I.	Young, Orileas L.....	Company E.
Wakefield, George W.....	Company D.		

Names and organizations of recipients of the congressional medal of honor stricken from the official medal of honor list, etc.—Continued.

MISCELLANEOUS.

Name.	Organization.	Name.	Organization.
Barry, John P.....	Co. A, 24th Vet. Res. Corps.	Karr, John.....	Co. D, 14th Vet. Res. Corps.
Bulock, Luther E.....	Co. E, 9th Vet. Res. Corps.	Lambert, Wm. H.....	Adjutant, 27th N. J. Inf.
Callaghan, Patrick.....	Co. H, 9th Vet. Res. Corps.	Laport, Wm. T.....	Co. K, 27th N. J. Inf.
Carey, Frank.....	Co. H, 12th Vet. Res. Corps.	Lewis, Rufus W.....	Co. F, 18th Vet. Res. Corps.
Carpenter, Samuel T.....	Co. K, 7th Vet. Res. Corps.	Lynch, John B.....	Co. D, 3d Ind. Cav.
Carr, Augustus E.....	Co. D, 12th Vet. Res. Corps.	Marshall A. Judson.....	Co. K, 9th Vet. Res. Corps.
Chapman, Amos.....	Civilian scout.	McCamly, James M.....	Co. A, 9th Vet. Res. Corps.
Cody, W. F.....	Civilian guide.	Mindil, George W.....	Colonel, 27th N. J. Inf.
Collins, James.....	Co. D, 10th Vet. Res. Corps.	Murphy, Edward.....	Co. B, 10th Vet. Res. Corps.
Cornwall, Addison.....	Co. I, 7th Vet. Res. Corps.	Nelson, Jacob F.....	Co. A, 9th Vet. Res. Corps.
Daly, Wm. F.....	Co. A, 10th Vet. Res. Corps.	Nobis, Wm. H.....	Co. G, 12th Vet. Res. Corps.
Dixon, William.....	Civilian scout.	Pardun, James M.....	Co. K, 24th Vet. Res. Corps.
Dozier, ...	Citizen guide.	Pierson, S. D.....	Co. D, 27th N. J. Inf.
Durgin, Wm. W.....	Co. F, 10th Vet. Res. Corps.	Reed, Thomas C.....	Co. C, 27th N. J. Inf.
Durkee, Joseph H.....	Co. E, 7th Vet. Res. Corps.	Sedgwick, Irvin M.....	Co. H, 18th Vet. Res. Corps.
Edwards, John R.....	Do.	Smith, Frank T.....	Co. C, 10th Vet. Res. Corps.
Forehand, Lloyd D.....	Co. I, 18th Vet. Res. Corps.	Smith, John P.....	Co. I, 14th Vet. Res. Corps.
Gardiner, Asa B.....	Co. I, 22d N. Y. S. M.	Storr, Robert.....	Co. A, 15th N. Y. Eng.
Gilbert, Thomas.....	18th Indpt. Batty., N. Y. L. A.	Swinehart, Chester.....	Co. D, 7th Vet. Res. Corps.
Goodrich, George E.....	Co. A, 12th Vet. Res. Corps.	Walker, Dr. Mary E.....	Contract surgeon.
Hanna, John.....	Co. B, 14th Vet. Res. Corps.	Wilson, Joseph K.....	Sergeant major, 8th U. S. Inf.
Hawken, J. M.....	Storekeeper, Q. M. Dept.	Wiseman, Wm. H.....	Co. E, 24th Vet. Res. Corps.
Hesse, John C.....	Co. A, 8th U. S. Inf.	Woodall, W. H.....	Scout.
Hoppy, Edward.....	Co. C, 12th Vet. Res. Corps.		

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, February 2, 1917.

From: The Adjutant General of the Army.

To: The Judge Advocate General of the Army.

Subject: Execution of the terms of section 122 of the act of June 3, 1916.

1. The board of officers appointed under the provisions of section 122 of the national-defense act of June 3, 1916, to conduct an investigation concerning medals of honor, submits the accompanying report required by that section, with certain suggestions and recommendations referred to hereinafter.

2. It will be observed that at the beginning of the report the board refers to unsuccessful efforts to secure a modification of the terms of the law directing the investigation, and requests that the War Department defer action in certain specified cases until the matter can receive the careful consideration of Congress.

3: The report also sets forth that the board found but few instances where the medal has not been awarded for distinguished service specifying, in this connection, the awards to 555 members of

the Twenty-seventh Maine. Reference is made to awards to 309 other members of the Twenty-seventh Maine; to five members of the Twenty-seventh New Jersey; and to one member of the Twenty-second New York State Militia. With regard to these latter awards the board recommends that action by the War Department also be deferred pending a possible reconsideration of the law by Congress.

4. The board then refers to certain other instances where medals were awarded for causes which it did not consider as distinguished conduct in action, viz, to one John B. Lynch, for carrying dispatches; to one Thomas Gilbert, for picking up shells and extinguishing burning fuses; to John C. Hesse and Joseph K. Wilson, for bringing off colors of the Eighth United States Infantry concealed about their persons while quartered at San Antonio when that post was surrendered to the Confederates; to 29 officers and men comprising the so-called Lincoln body guard; to one Robert Storr, a British subject who enlisted in the Union Army and died in service; to Dr. Mary E. Walker, a female contract surgeon, concerning whom there is no evidence of distinguished gallantry, and to one James M. Hawken for extinguishing a fire in a Government storehouse.

5. Reference is made in the report to awards to five civilians, among them being William F. Cody, the board expressing the opinion that they rendered distinguished service in action and fully earned their medals, and expressing also the hope that a modification of the law will permit them to retain the medals.

6. The board invites attention to the comparatively small number of awards of the medal of comparison with the large number of officers and men who have served in the Army; suggests that insignia in addition to the medal of honor be adopted for the purpose of rewarding meritorious services; points out the inadvisability of awarding the medal of honor to civilians; recommends that the rules embodied in the Army regulations governing the award of the medal of honor be enacted into law as a sure and satisfactory guide for future awards; and, in conclusion, expresses the opinion that once a medal of honor or other insignia has been awarded to an officer or enlisted man according to law he should not be deprived of it except by the judgment of a military court for causes disgraceful to the military service.

7. Certain questions have arisen in connection with the report of the board, and in considering these questions it is proposed to point out certain features of the law and of the report of the board with a view to reach some conclusion as to what action, if any, it is now incumbent upon the War Department to take in connection with the execution of the terms of the law.

8. It will be observed, in the first place, that while the law directs the Secretary of War to convene the board, yet that there is no requirement therein that the board shall make its report to the Secretary or to anyone. In this connection it is significant that the board does not address its report to anyone.

9. It will also be observed that while the law provides that "in any case in which said board shall find and report that said medal was issued for any cause other than that hereinbefore specified, the name of the recipient of the medal so issued shall be stricken permanently from the official medal of honor list," yet that neither the War Department nor any person is charged with the execution of this portion of the legislation.

10. With regard to "the official medal of honor list" mentioned in the law, there may be some doubt, for in reality there are two medal of honor lists, one the Medal of Honor Circular, which contains the names of all persons to whom the medal has been awarded, and the other the Army and Navy Medal of Honor Roll, authorized by the act of Congress approved April 27, 1916, which contains the names of 322 medalists whose cases come within the terms of the act and who are entitled to a special pension of \$10 per month. It may, no doubt, be considered as reasonably certain that the "list" mentioned in the act of June 3, 1916, is the comprehensive Medal of Honor Circular referred to hereinbefore, and the board so viewed the matter, but still there is the slight uncertainty which perhaps should not be entirely ignored.

11. Furthermore, the law of June 3, 1916, makes it a misdemeanor for any person in whose case the board took adverse action "to wear or publicly display said medal" and provides further that "if he shall still be in the Army, he shall be required to return said medal to the War Department for cancellation." The law prescribes no punishment for the misdemeanor, nor does it charge anyone with the execution of the provisions.

12. For reasons specifically stated on pages 3-5 of the report of the board, the provisions set forth in section 122 of the act of June 3, 1916, are most unsatisfactory and if the terms thereof are to be construed strictly and carried into execution in accordance with that strict construction injustice will certainly result, but still if the terms thereof are to be viewed as mandatory and can be construed as charging the War Department with the execution thereof, perhaps there is no alternative but to enter immediately upon the task of carrying out the terms of the legislation.

13. In reverting again to the report of the board, it will be seen that the recommendation is made therein that the War Department defer action in certain specified cases until the matter can receive the careful consideration of Congress. In making this recommendation it assumes that the War Department is in duty bound to execute the terms of the law, but fails to enter into any discussion of the right of the department, or of any one, to defer action in the matter.

14. In view of the duties imposed upon the board by the law it seems doubtful that any useful purpose will be served by entering into any discussion of its action in any particular case, but still it may not be out of the way to mention the fact that of all the cases in which it took adverse action, only two names are borne on the Army and Navy medal of honor roll authorized by the act of April 27, 1916, viz, William F. Cody ("Buffalo Bill"), now deceased, and John C. Hesse.

15. With regard to the latter, who is the only one who would suffer any pecuniary loss, not to mention the very much greater loss in distinction and honor, that would result if the adverse action of the board in this case were to be followed, it may not be deemed inappropriate to recite the facts in his case, as they appear in the official records. Copies of his application for the medal and of a record of the action taken thereon are as follows:

WASHINGTON, D. C., September 6, 1864.

SIR: Believing that I am entitled to receive a medal of honor as provided by the resolution of Congress, under date of July 12, 1862, to provide for the pre-

sentation of medals of honor to enlisted men of the Army and volunteer forces who have distinguished or may distinguish themselves in battle during the present war, I have the honor to make the following statement:

At the outbreak of the rebellion the headquarters of the Eighth Infantry were stationed at San Antonio, Tex. I was a corporal of Company A of that regiment and detailed as clerk at its headquarters. On the 23d day of April, 1861, the officers and a few enlisted men at that time present at San Antonio were taken prisoners by rebel troops under the command of Col. Van Dorn, all the officers with the exception of Lieut. Ed. L. Hartz, adjutant, Eighth Infantry, left a few days afterwards for the States. A few days subsequent, going to the former office of the regimental headquarters, the building then in possession and under control of the rebels, I met there Lieut. Hartz and Sergt. Maj. Joseph K. Wilson, Eighth Infantry (now second lieutenant, Eighth Infantry).

Our regimental colors being in the office, Lieut. Hartz proposed to us to take the colors from the staffs, conceal them beneath our clothes, and try to carry them off. We did so. I took the torn color the regiment had carried through the Mexican War, put it around my body under my shirt and blouse, and passed out of the building, which was strongly guarded by the rebels; our good luck would have it that the rebels did not suspected what a precious load we carried with us; if they had, our lives would not have been worth much. We put the colors in one of Lieut. Hartz's trunks and next day left San Antonio for the north. On the route we guarded the colors with our lives, always fearing that the rebels might find out what we had taken away and come after us, but they did not. We arrived safe with our colors on the 26th of May, 1861, in Washington, and turned them over to the regiment.

Under these circumstances, I think that I am entitled to the honor in receiving a medal, as I believe that Congress intended to award them to enlisted men who have done acts similar to mine.

I therefore very respectfully request that I may receive one, believing that I have performed one of the highest duties of a soldier, "having saved the colors of my regiment," and it will always be a happy day for me if I can see my regiment marching with their colors flying and can say that color I have carried on my body and have rescued it from the hands of the rebels.

I am, Colonel, very respectfully,

Your obedient servant,

JOHN C. HESSE,

Formerly Corporal, Company A, Eighth Infantry.

Col. E. D. TOWNSEND,

Assistant Adjutant General,

Washington, D. C.

The foregoing letter bears an indorsement signed by Edward L. Hartz to the effect that the statement is true, whereupon the following action was taken:

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, September 10, 1864.

Mr. JOHN POTTS,

Chief Clerk War Department.

SIR: The Secretary of War directs that you cause a medal of honor to be engraved for Corpl. John C. Hesse, Company A, Eighth United States Infantry, for good conduct in saving the colors of his regiment from capture by the rebels in Texas in 1861.

Very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant General.

16. In view of the facts recited, the question may well be raised as to whether Mr. Hesse can, with justice, be deprived of the honor of holding the medal of honor, and involved in this question is the more important one as to whether the War Department has any authority to review or change in any respect the findings of the board. The Secretary was directed by the terms of the law to convene the board; and while perhaps it does not necessarily follow that

the power to convene the board also gives the Secretary the power to review or change its findings, yet on the other hand the power to convene often carries with it more or less power to review; and as the board in its report by recommending that the department defer action thereby concedes that the department has some discretion in the matter, perhaps it would not be an unwarranted construction of the law to go even further and hold that it is not restricted in its action by the report of the board but can refuse to carry out such of its findings as may seem to be contrary to the views of the department.

17. The board did not take adverse action in the case of any person now serving in the Army, so the requirement in the law providing for the return of the medal by any such person for cancellation is inoperative.¹

18. Involved in the foregoing comments are certain questions concerning which an opinion of the Judge Advocate General of the Army is desired, viz:

(a) Should the law in question be so construed as to make it mandatory upon the War Department to carry out its terms in accordance with the finding of the board of officers?

(b) If the foregoing question be answered in the affirmative, has the War Department any authority to review the report of the board, carrying out certain of its findings and refusing to carry out others, or is it bound by the report of the board in executing the terms of the law?

(c) If it be held that it is the duty of the War Department to execute the terms of the law in accordance with the findings of the board, has it authority to defer action, as recommended by the board, or is it mandatory that it proceed at once to carry out the provisions?

(d) If it be held to be the duty of the War Department to proceed immediately to execute the terms of the law, what specific steps should it take in doing so?

(e) Should the "official medal of honor list" referred to in the law be regarded as the Medal of Honor Circular described hereinbefore?

(f) Is it incumbent upon the War Department to take any action with regard to so much of the law as makes it a misdemeanor for any one to wear or publicly display the medal whose right thereto has been acted upon adversely by the board?

By order of the Secretary of War:

H. P. McCain.

[First indorsement.]

WAR DEPARTMENT,
JUDGE ADVOCATE GENERAL'S OFFICE,
February 7, 1917.

THE ADJUTANT GENERAL.

1. The accompanying report of the board of officers appointed under section 122 of the national defense act of June 3, 1916, to investigate and report upon past awards or issues of the so-called con-

¹ Error—case of one army officer acted on—Asa Bird Gardiner. M. S. W.

gressional medal of honor by or through the War Department, has been referred to this office for opinion upon certain questions which, with the answers thereto, are as follows:

Question (a). Should the law in question be so construed as to make it mandatory upon the War Department to carry out its terms in accordance with the finding of the board of officers?

In the opinion of this office, the question should be answered in the affirmative so far as the statute calls for action falling under the jurisdiction of the Secretary of War. The statute charges the Secretary of War with the duty of convening the board and provides *inter alia*:

And in any case in which said board shall find and report that said medal was issued for any cause other than that hereinbefore specified the name of the recipient of the medal so issued shall be stricken permanently from the official medal of honor list. It shall be a misdemeanor for him to wear or publicly display said medal, and, if he shall still be in the Army, he shall be required to return said medal to the War Department for cancellation.

This statute apparently calls for administrative action in the following particulars:

(1) That the "name of the recipient of the medal so issued shall be stricken permanently from the official medal of honor list"; and

(2) That if the recipient "shall still be in the Army, he shall be required to return said medal to the War Department for cancellation."

It is stated that none of the recipients in whose cases the board finds that the award was improperly made are still in the Army, so that the only administrative action required of the department is that the name of the recipient shall be stricken permanently from the official medal-of-honor list. As this list is under the control of the War Department, I can not escape the conclusion that the duty of giving effect to this provision rests with the Secretary of War.¹

Question (b). If the foregoing question be answered in the affirmative, has the War Department any authority to review the report of the board, carrying out certain of its findings and refusing to carry out others, or is it bound by the report of the board in executing the terms of the law?

In the opinion of this office, the act confers no authority upon the Secretary of War to review the report of the board by carrying out certain of its findings and refusing to carry out others. It is expressly provided in the language above quoted that "in any case in which said board shall find and report" that the medal was issued for any cause other than that specified in the statute "the name of the recipient of the medal so issued shall be stricken permanently from the medal-of-honor list." There is here no discretion vested in the Secretary of War to review the report of the board, but the statute enjoins that the action shall be taken in any case in which the board "shall find and report" that the award was issued for a cause other than that specified in the statute. I am clearly of opinion that the Secretary of War is bound by the report of the board in executing the terms of the law.

Question (c). If it be held that it is the duty of the War Department to execute the terms of the law in accordance with the findings of the board, has it authority to defer action, as recommended by the board, or is it mandatory that it proceed at once to carry out the provisions?

¹ There is one, Asa Bird Gardiner.

The statute enjoins that effect shall be given to the findings and report of the board, and I find nothing therein which would justify the Secretary of War in deferring action, as recommended by the board. I am of opinion, therefore, that the Secretary of War has the duty to proceed at once to give effect to the finding of the board that certain medals of honor were issued for causes other than those specified in the statute.

Question (d). If it be held to be the duty of the War Department to proceed immediately to execute the terms of the law, what specific steps should it take in doing so?

The statute requires that action shall be taken in matters falling under the jurisdiction of the Secretary of War, as follows:

(1) That the name of the recipient of a medal of honor issued for a cause other than that specified "shall be stricken permanently from the official medal of honor list."

(2) That if the recipient "shall still be in the Army, he shall be required to return said medal to the War Department for cancellation."

As the findings of the board show no recipient of a medal of honor issued for a cause other than that specified by the statute is still in the Army, the only steps required of the Secretary of War, by way of giving execution to the statute, is to order that the names of such recipients "be stricken permanently from the official medal of honor list."

Question (e). Should the "official medal of honor list" referred to in the law be regarded as the Medal of Honor Circular described hereinbefore?

The papers show that a circular has been published by the War Department which, with the supplements thereto, contains a list of all the medals of honor issued by the War Department, comprising, it is stated, more than 2,600 names of recipients of such medals. This is the only official list in the War Department of all the medals of honor issued by the War Department, and is, therefore, in the opinion of this office, the only "official medal of honor list." Under the act of April 27, 1916, there is "established in the War Department and Navy Department, respectively, a roll designated as 'the Army and Navy medal of honor roll.'"

This roll is limited by the terms of the act to persons who have "attained or shall attain the age of sixty-five years," and who have been "awarded a medal of honor for having in action involving actual conflict with an enemy distinguished himself conspicuously by gallantry or intrepidity, at the risk of his life, above and beyond the call of duty," etc. I am clearly of opinion that the medal of honor list referred to in section 122 does not include the medal of honor roll described in the act of April 27, 1916.

Question (f). Is it incumbent upon the War Department to take any action with regard to so much of the law as makes it a misdemeanor for anyone to wear or publicly display the medal whose right thereto has been acted upon adversely by the board?

This question, in the opinion of this office, should be answered in the negative. The statute, while making it a misdemeanor for a recipient whose name has been stricken from the official medal of honor list to wear or publicly display his medal, falls short of prescribing a penalty for the offense. It imposes no duty, however, on

the War Department to enforce this provision, certainly not with respect to any person not in the military service. It is clear, therefore, that it is not incumbent upon the War Department to take any action to enforce the provisions of the statute in this regard.

E. H. CROWDER,
Judge Advocate General.

Approved February 9, 1917.

NEWTON D. BAKER,
Secretary of War.

[Circular.]

MEDALS OF HONOR ISSUED BY THE WAR DEPARTMENT UP TO AND INCLUDING SEPTEMBER 1, 1904.

WAR DEPARTMENT,
Washington, D. C., September 1, 1904.

The following list of the names of those to whom the medal of honor has been awarded up to and including September 1, 1904, is published for the information and guidance of all concerned.

WM. H. TAFT,
Secretary of War.

Medals of honor issued by the War Department up to and including Sept. 1, 1904.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1	Abbott, Charles E., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2	Abbott, George H., private, Company B, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
978	Achesay, sergeant, Indian Scouts.	Apr. 12, 1875	.....	Winter of 1872-73.....	Gallant conduct during campaigns and engagements with Apaches.
3	Adams, Clement J., sergeant, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1581	Adams, James F., private, Company D, First West Virginia Cavalry.	Nov. 26, 1864	Nineveh, Va.	Nov. 12, 1864.....	Capture of State flag of Fourteenth Virginia Cavalry (C. S. A.).
4	Adams, John F., private, Company G, Company I, Nineteenth Massachusetts Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1174	Adams, John G. B., second lieutenant, Company I, Nineteenth Massachusetts Infantry.	Dec. 16, 1866	Fredericksburg, Va.	Dec. 13, 1862.....	Seized the two colors from the hands of a corporal and a lieutenant as they fell mortally wounded, and with a color in each hand advanced across the field to a point where the regiment was reformed on those colors.
5	Adams, John W., musician, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
6	Adams, Lucien, private, Company F, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
7	Adjutant, George W., private, Company I, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
8	Addington, Thomas A., private, Company G, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
2206	Albee, George E., lieutenant, Twenty-fourth U. S. Infantry.	Jan. 18, 1894	Brazos River, Tex.	Oct. 28, 1890.....	Attacked with 2 men a force of 11 Indians, drove them from the hills, and reconnoitered the country beyond.
1183	Alber, Frederick, private, Company A, Seventeenth Michigan Infantry.	July 30, 1866	Spotsylvania, Va.	May 12, 1864.....	Bravely rescued a lieutenant of his regiment, who had been captured by a party of Confederates, by shooting down one, knocking over another with the butt of his musket, and taking them both prisoners.
1075	Albert, Christian, private, Company G, Forty-seventh Ohio Infantry.	Aug. 10, 1865	Vicksburg, Miss.	May 22, 1863.....	Gallantry in the charge of the "volunteer storming party."
1917	Allen, Abner P., corporal, Company K, Thirty-ninth Illinois Infantry.	May 12, 1865	Petersburg, Va.	Apr. 2, 1865.....	Gallantry as color bearer in the assault on Fort Gregg.
9	Allen, Charles H., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1167	Allen, James, private, Company F, Sixteenth New York Infantry.	Sept. 11, 1890	South Mountain, Md.	Sept. 14, 1862.....	Capture of flag of Sixteenth Georgia Infantry (C. S. A.).
10	Allen, Jedidah, private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at the end of table.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1338	Allen, Nathaniel M., corporal, Company B, First Massachusetts Infantry.	Mar. 29, 1869	Gettysburg, Pa.	July 2, 1863	When his regiment was falling back, this soldier, bearing the National color, returned in the face of the enemy's fire, pulled the regimental flag from under the body of its bearer, who had fallen, saved the flag from capture and brought both colors off the field. See note at end of table.
11	Allen, Samuel L., private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
12	Allen, Seth G., private, Company B, Twenty-seventh Maine Infantry.	do.			
1080	Allen, William, first sergeant, Company I, Twenty-third U. S. Infantry.	Apr. 12, 1875	Turret Mountain, Ariz.	Mar. 27, 1873	Gallantry in action.
13	Allen, William A., corporal, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1043	Ames, Adolbert, first lieutenant, Fifth U. S. Artillery.	June 22, 1864	Hull Run, Va.	July 21, 1861	Remained upon the field in command of a section of Griffin's battery, directing its fire after being severely wounded, and refusing to leave the field until too weak to sit upon the caisson, where he had been placed by men of his command.
1615	Ammerman, Robert W., private, Company B, One hundred and forty-eighth Pennsylvania Infantry.	Jan. 31, 1865	Spottsylvania, Va.	May 12, 1864	Capture of battle flag of Eighth North Carolina (C. S. A.), being one of the foremost in the assault.
2520	Anders, Frank L.	Jan. 24, 1865			See note at end of table.
14	Anderson, Amos S., corporal, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
2150	Anderson, Bruce.	Mar. 26, 1865	Waynesboro, Va.	Mar. 2, 1865	Capture of unknown Confederate flag.
1943	Anderson, Charles W., private, Company K, First New York (Lincoln) Cavalry.	Dec. 3, 1864	Crosby Creek, Tenn.	Jan. 14, 1864	Captured single banded, a Confederate general, during a charge upon the enemy.
1829	Anderson, Everett W., sergeant, Company M, Fifteenth Pennsylvania Cavalry.	Sept. 6, 1864	Weldon Railroad, Va.	Aug. 21, 1864	Capture of battle flag of Twenty-seventh South Carolina (C. S. A.), and the color bearer.
1616	Anderson, Frederick C., private, Company A, Eighteenth Massachusetts Infantry.	Nov. 19, 1870	Wichita River, Tex.	Oct. 5, 1870	Gallantry during the pursuit and fight with Indians.
2207	Anderson, James, private, Company M, Sixth U. S. Cavalry.	Sept. 1, 1863	Nashville, Tenn.	Dec. 16, 1864	Lost his regiment over 5 lines of the enemy's works, where he fell severely wounded.
1753	Anderson, Marion T., captain, Company D, Fifty-first Indiana Infantry.	June 16, 1865	Bentonville, N. C.	Mar. 19, 1865	Entirely unassisted, brought from the field an abandoned piece of artillery and saved the gun from falling into the hands of the enemy.
2177	Anderson, Peter, private, Company B, Thirty-first Wisconsin Infantry.	May 3, 1865	Appomattox Station, Va.	Apr. 8, 1865	Capture of Confederate flag.
1945	Anderson, Thomas, corporal, Company I, First West Virginia Cavalry.				

15	Anderson, William A., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
16	Anderson, William E., private, Company E, Twenty-seventh Maine Infantry.	do.			Do.
17	Andrews, Chase, corporal, Company F, Twenty-seventh Maine Infantry.	do.			Do.
18	Andrews, James E., private, Company H, Twenty-seventh Maine Infantry.	do.			Do.
1918	Apple, Andrew O., corporal, Company I, Twelfth West Virginia Infantry.	May 12, 1865	Petersburg, Va.	Apr. 2, 1865	Conspicuous gallantry as color bearer in the assault on Fort Gregg.
1830	Appleton, William H., first lieutenant, Company H, Fourth U. S. C. T.	Feb. 18, 1891	Petersburg, Va. New Market Heights, Va.	June 15, 1864 Sept. 29, 1864	The first man of the Eighteenth Corps to enter the enemy's works. Valiant service in a desperate assault, inspiring the Union troops by his example of steady courage.
1175	Archer, James W., first lieutenant and adjutant, Fifty-ninth Indiana Infantry.	Aug. 2, 1897	Corinth, Miss.	Oct. 4, 1862	Voluntarily took command of another regiment, with the consent of one or more of his seniors, who were present, rallied the command and led it in the assault.
1832	Archer, Lester, sergeant, Company E, Ninth-sixth New York Infantry.	Apr. 6, 1865	Fort Harrison, Va.	Sept. 29, 1864	Gallantry in placing the colors of his regiment on the fort.
1076	Archinal, William, corporal, Company I, Thirtieth Ohio Infantry.	July 10, 1894	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
1077	Armstrong, Clinton L., private, Company D, Eighty-third Indiana Infantry.	Aug. 15, 1894	do.	do.	Do
1831	Arnold, Abraham K., captain, Fifth U. S. Cavalry.	Sept. 1, 1893	Davenport Bridge, Va.	May 10, 1864	By a gallant charge against a superior force of the enemy extricated his command from a perilous position to which it had been ordered.
2208	Aston, Edgar R., private, Company L, Eighth U. S. Cavalry.	July 28, 1898	San Carlos, Ariz.	May 30, 1898	Bravery in action with Indians.
19	Atkins, Charles P., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
20	Auld, William M., corporal, Company E, Twenty-seventh Maine Infantry.	do.			Do.
2209	Austin, William G., sergeant, Company E, Seventh U. S. Cavalry.	June 27, 1891	Wounded Knee Creek, S. Dak.	Dec. 29, 1890	While concealed in a ravine, assisted men on the skirmish line, directing their fire, etc., and using every effort to dislodge the enemy.
1168	Ayer, William B., lieutenant, First New York Marine Artillery.	Sept. 2, 1893	Tranters Creek, N. C.	June 5, 1862	Handled his battery with greatest coolness amidst the hottest fire.
21	Ayer, William H. H., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
1078	Ayers, David, sergeant, Company A, Fifty-seventh Ohio Infantry.	Apr. 13, 1894	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
2186	Ayers, James, private, Company H, Sixth U. S. Cavalry.	Nov. 16, 1876	Sappa Creek, Kans.	Apr. 23, 1875	Rapid pursuit, gallantry, energy, and enterprise in an engagement with Indians.
1079	Ares, John G., private, Company H, Eighth Missouri Infantry.	Aug. 31, 1894	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
2210	Babcock, John B., first lieutenant, Fifth U. S. Cavalry.	Sept. 18, 1897	Spring Creek, Nebr.	May 16, 1860	While serving with a scouting column this officer's troop was attacked by a vastly superior force of Indians. Advancing to high ground, he dismounted his men, remaining mounted himself to encourage them, and there fought the Indians until relieved, his horse being wounded.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1019	Babcock, William J., sergeant, Company E, Second Rhode Island Infantry.	Mar. 2, 1865	Petersburg, Va.	Apr. 2, 1865	Planted the flag upon the parapet while the enemy still occupied the line; was the first of his regiment to enter the works.
1346	Bacon, Elijah W., private, Company A, Nineteenth Connecticut Infantry.	Dec. 1, 1864	Gettysburg, Pa.	July 3, 1863	Capture of flag of Sixteenth North Carolina (C. S. A.).
22	Bail, William, private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
23	Bailey, Albert, wagoner, Company F, Twenty-seventh Maine Infantry.	do.....			Do.
1025	Bailey, James E., sergeant, Company E, Fifth U. S. Cavalry.	Apr. 12, 1875		Winter of 1872-73	Gallant conduct during the campaigns and engagements with Apaches.
1754	Baird, Alston, brigadier general, U. S. Volunteers.	Apr. 22, 1896	Jonesboro, Ga.	Sept. 1, 1864	Voluntarily led a detached brigade in an assault upon the enemy's works.
2211	Baird, George W., first lieutenant and adjutant, Fifth U. S. Infantry.	Nov. 27, 1894	Bear Paw Mountain, Mont.	Sept. 30, 1877	Most distinguished gallantry in action with the Nez Percé Indians.
24	Baker, Albert, private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
2594	Baker, George, Jr., sergeant major, Tenth U. S. Cavalry.	July 3, 1902	Santiago, Cuba	July 1, 1898	Left cover and, under fire, rescued a wounded comrade from drowning.
1044	Baker, Louis, musician, Company D, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	October, 1876, to January, 1877	Gallantry in engagements.
2496	Baldwin, Frank D., captain, Company D, Nineteenth Michigan Infantry.	Dec. 3, 1891	Peach Tree Creek, Ga.	July 20, 1864	Led his company in a countercharge, under a galling fire, ahead of his own men, and singly entered the enemy's line, capturing and bringing back two commissioned officers, fully armed, besides a guidon of a Georgia regiment.
1755	Baldwin, Frank D., first lieutenant, Fifth U. S. Infantry.	Nov. 28, 1894	McClellans Creek, Tex.	Nov. 8, 1874	Rescued, with two companies, two white girls, by a voluntary attack upon Indians whose superior numbers and strong position would have warranted delay for reinforcements, but which delay would have permitted the Indians to escape and kill their captives.
953	Ballen, Frederick. (See addenda.)				Brought water for the wounded under a most galling fire.
2212	Bancroft, Neil, private, Company A, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn, Mont.	June 25, 1876	Do.
25	Banfield, Philip, private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
26	Banks, Willard, private, Company C, Twenty-seventh Maine Infantry.	do.....			
1339	Banks, George L., sergeant, Company C, Fifteenth Indiana Infantry.	Sept. 28, 1897	Missionary Ridge, Tenn.	Nov. 25, 1863	As color bearer, led his regiment in the assault, and, though wounded, carried the flag forward to the enemy's works, where he was again wounded. In a brigade of 8 regiments this flag was the first planted on the parapet.

2142	Barber, James A., corporal, Company G, First Rhode Island Light Artillery.	June 20, 1866	Petersburg, Va.....	Apr. 2, 1865.....	Was one of a detachment of 20 picked artillerymen who voluntarily accompanied an infantry assaulting party, and who turned upon the enemy the guns captured in the assault.
1579	Barker, Nathaniel C., sergeant, Company E, Eleventh New Hampshire Infantry.	Sept. 23, 1867	Spottsylvania, Va.....	May 12, 1864.....	6 color bearers of the regiment having been killed, he voluntarily took both flags of the regiment and carried them through the remainder of the battle.
27	Barker, William B., corporal, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	.....	See note at end of table.
28	Barnes, Benjamin, private, Company K, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
2213	Barnes, William C., first-class private, Signal Corps, U. S. A.	Nov. 8, 1862	Fort Apache, Ariz.....	Sept. 11, 1861.....	Bravery in action.
1832	Barnes, William H., private, Company C, Thirty-eighth U. S. C. T.	Apr. 6, 1865	Chapin's farm, Virginia.	Sept. 28, 1864.....	Among the first to enter the enemy's works, although wounded.
1431	Barnum, Henry A., colonel, One hundred and forty-ninth New York Infantry.	July —, 1869	Chattanooga, Tenn.....	Nov. 23, 1863.....	Although suffering severely from wounds, he led his regiment, inciting the men to greater action by word and example until again severely wounded.
970	Barrell, Charles L., first lieutenant, Company C, One hundred and second U. S. C. T.	May 14, 1861	Near Camden, S. C.....	April, 1865.....	Hazardous service in marching through the enemy's country to bring relief to his command.
1028	Barrett, Richard, first sergeant, Company A, First U. S. Cavalry.	Apr. 12, 1875	Sycamore Canyon, Ariz.	May 23, 1872.....	Conspicuous gallantry in a charge upon the Tonto Apaches.
1080	Barringer, William H., private, Company F, Fourth Virginia Infantry.	July 12, 1864	Vicksburg, Miss.....	May 22, 1863.....	Gallantry in the charge of the "volunteer storming party."
29	Barrows, David S., first sergeant, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table
2088	Barry, Augustus, sergeant major, Sixteenth U. S. Infantry.	Feb. 28, 1870	.....	1863 to 1865.....	Gallantry in various actions during the rebellion.
902	Barry, John P., first sergeant, Company A, Twenty-fourth V. R. C.	May 20, 1865	.....	April, 1865.....	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
30	Bartlett, Charles S., private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
31	Bartlett, Joseph W., private, Company I, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1455	Batchelder, Richard N., lieutenant colonel and chief quartermaster, Second Corps.	May 20, 1865	Between Carlett and Fairfax Stations, Va.	Oct. 12-15, 1863.....	Being ordered to move his trains by a continuous day-and-night march, and without the usual military escort, armed his teamsters and personally commanded them, successfully fighting against heavy odds and bringing his trains through without the loss of a wagon.
1857	Bates, Delavan, colonel Thirtieth U. S. C. T.	June 22, 1861	Cemetery Hill, Va.....	July 30, 1864.....	Gallantry in action where he fell, shot through the face, at the head of his regiment.
32	Bates, Marcus, private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1946	Bates, Norman F., sergeant, Company E, Fourth Iowa Cavalry.	June 17, 1865	Columbus, Ga.....	Apr. 16, 1865.....	Capture of flag and bearer.
2521	Batson, Matthew A., first lieutenant, Fourth U. S. Cavalry.	Mar. 8, 1902	Calamba, Luzon, P. I.	July 26, 1899.....	Swam the San Juan River, in the face of the enemy's fire, and drove him from his entrenchments.
1617	Baybutt, Philip, private, Company A, Second Massachusetts Cavalry.	Oct. 19, 1864	Luray, Va.....	Sept. 24, 1864.....	Capture of flag.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
33	Bean, Lewis L., private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1703	Beattie, Alexander M., captain, Company F, Third Vermont Infantry.	Apr. 25, 1864	Cold Harbor, Va.	June 5, 1864	
1756	Bealy, Powhatan, first sergeant, Company G, Fifth U. S. C. T.	Apr. 6, 1865	Chapin's farm, near Richmond, Va.	Sept. 20, 1864	
1018	Beauford, Clay, first sergeant, Company B, fifth U. S. Cavalry.	Apr. 12, 1875		Winter of 1872-73	
1465	Beauford, Jean J., corporal, Company A, Second Louisiana Infantry.	July 20, 1897	Port Hudson, La.	About May 20, 1863	
1757	Beaumont, Eugene B., major and assistant adjutant general, Cavalry Corps, Army of the Mississippi.	Mar. 30, 1868	(Harpeth River, Tenn.	Dec. 17, 1864	Removed, under a hot fire, a wounded member of his command to a place of safety. Took command of his company, all the officers having been killed or wounded, and gallantly led it. Gallant conduct during the campaigns and engagements with Apaches. Volunteered to go within the enemy's lines; and at the head of a party of eight destroyed a signal station, thereby greatly aiding in the operations against Fort Hudson that immediately followed. Obtained permission from the corps commander to advance upon the enemy's position with the Fourth U. S. Cavalry, of which he was a lieutenant; led an attack upon a battery, dispersed the enemy, and captured the guns. Charged, at the head of his regiment, into the second and last line of the enemy's works. Capture of flag.
1947	Bobb, Edward J., private, Company D, Fourth Iowa Cavalry.	June 17, 1865	Selma, Ala.	Apr. 2, 1865	
1176	Beckwith, Wallace A., private, Company F, Twenty-first Connecticut Infantry.	Feb. 15, 1867	Columbus, Ga.	Apr. 16, 1865	
1194	Beddows, Richard, private, Thirty-fourth New York Battery.	July 10, 1866	Fredericksburg, Va.	Dec. 13, 1862	
1758	Beebe, William S., first lieutenant, Ordnance Department, U. S. A.	June 30, 1867	Pennsylvania Court House, Va.	May 18, 1864	
1763	Beech, John P., sergeant, Company B, Fourth New Jersey Infantry.	June 5, 1864	Cane River Crossing, La.	Apr. 23, 1864	Gallantly responded to a call for volunteers to man a battery, serving with great heroism until the termination of the engagement. Brought his guidon off in safety under a heavy fire of musketry, after he had lost it by his horse becoming furious from the bursting of a shell. Voluntarily led a successful assault on a fortified position. Voluntarily assisted in working the guns of a battery, all the members of which had been killed or wounded. Shot a Confederate color bearer, rushed forward and seized his colors, and, although exposed to heavy fire, regained the lines in safety. Took a guidon from the hands of the bearer, mortally wounded, and ran forward with it nearer to the battery than any other man. Voluntarily went ashore in the face of the enemy and aided in the rescue of his wounded comrades; this after several previous attempts at which he had been frustrated. Led a successful charge against a superior force, capturing and dispersing the enemy, and relieving other members of his regiment from a perilous position. Carried dispatches to Gen. Crook at the imminent risk of his life.
1347	Begley, Terence, sergeant, Company D, Seventh New York Heavy Artillery.	Dec. 1, 1864	Spottsylvania Court House, Va.	May 12, 1864	
1583	Belcher, Thomas, private, Company I, Ninth Maine Infantry.	Apr. 6, 1865	Cold Harbor, Va.	June 3, 1864	
2595	Bell, Dennis, private, Troop H, Tenth U. S. Cavalry.	June 23, 1899	Chapin's farm, Va.	Sept. 20, 1864	
2622	Bell, Harry, captain, Thirty-sixth U. S. Volunteer Infantry.	Mar. 8, 1902	Tayabacoe, Cuba.	June 30, 1898	
971	Bell, James, private, Company E, Seventh U. S. Infantry.	Dec. 2, 1876	Near Ponce, P. I.	Oct. 17, 1899	
			Big Horn, Mont.	July 9, 1876	

1340	Roll, James B. (See addenda.)	Dec. 11, 1899	New Porce, Luzon, P. I.	Sept. 9, 1899	In advance of his regiment, charged 7 insurgents with his pistol and compelled the surrender of the captain and 2 privates, under a close fire from the remaining insurgents concealed in a bamboo thicket.
2522	U. S. Volunteer Infantry.				Passed through a murderous fire of grape and canister in delivering orders, and reformed the crowded lines.
1501	Benedict, George G., second lieutenant, Company C, Twelfth Vermont Infantry.	June 27, 1892	Gettysburg, Pa.	July 3, 1863	
1948	Benjamin, John F., corporal, Company M, Second New York Cavalry.	May 3, 1865	Sallors Creek, Va.	Apr. 6, 1865	Capture of battle flag of Ninth Virginia Infantry (C. S. A.).
951	Benjamin, Samuel N., first lieutenant, Second U. S. Artillery.	June 11, 1877	Bull Run to Spottsylvania, Va.	July, 1861, to May, 1864.	Particularly distinguished services as an Artillery officer.
34	Bennett, Augustus, private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Sallors Creek, Va.	Apr. 6, 1865	See note at end of table.
1949	Bennett, Orren, private, Company D, One hundred and forty-first Pennsylvania Infantry.	May 10, 1865	Sallors Creek, Va.		Capture of flag.
1782	Bennett, Orson W., first lieutenant, Company A, One hundred and second U. S. C. T.	Mar. 9, 1867	Honey Hill, S. C.	Nov. 30, 1864	After several unsuccessful efforts to recover 3 pieces of abandoned artillery, this officer gallantly led a small force fully 100 yards in advance of the Union lines and brought in the guns, preventing their capture.
932	Bensinger, William, private, Company G, Twenty-first Ohio Infantry.	Mar. 25, 1863	Georgia.	Apr. 1862.	One of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell) penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta.
35	Benson, James A., private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2151	Benyard, William H., captain, Corps of Engineers, U. S. A.	Sept. 7, 1867	Five Forks, Va.	Apr. 1, 1865	With one companion voluntarily advanced in a reconnaissance beyond the skirmishers, where he was exposed to imminent peril; also, in the same battle, rode to the front with the commanding general to encourage wavering troops to resume the advance, which they did successfully.
2597	Berg, George. (See Burg.)	Oct. 13, 1875	Staked Plains, Tex.	Dec. 8, 1874	Gallantry in a long chase after Indians.
1065	Bergendahl, Frederick, private, band, Fourth U. S. Cavalry.	Jan. 24, 1865			See note at end of table.
36	Berry, Edward M., private, company C, Twenty-seventh Maine Infantry.				Do.
37	Berry, John, private, Company C, Twenty-seventh Maine Infantry.	do.			Do.
38	Berry, Moses G., private, Company G, Twenty-seventh Maine Infantry.	do.			Do.
39	Berry, William, private, Company G, Twenty-seventh Maine Infantry.	do.			Do.
40	Berry, William, private, Company C, Twenty-seventh Maine Infantry.	do.			Bravery in scouts and actions with Indians.
865	Bertram, Heinrich, corporal, Company Eighth U. S. Cavalry.	July 24, 1899	Arizona.	1868.	While scouting with 4 men and attacked in ambush by 14 hostile Indians, held his ground, 2 of his men being wounded, and kept up the fight until himself wounded in the side, and then went to the assistance of his wounded comrades.
2214	Bessey, Charles A., corporal, Company A, Third U. S. Cavalry.	May 15, 1890	Near Elkhorn Creek, Wyo.	Jan. 13, 1877.	

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
2131	Betts, Charles M., lieutenant colonel, Fifteenth Pennsylvania Cavalry.	Oct. 10, 1892	Greensboro, N. C.	Apr. 1865.	With a force of but 75 men, while on a scouting expedition, by a judicious disposition of his men, surprised and captured an entire battalion of the enemy's cavalry.
1177	Beyer, Hillary, second lieutenant, Company H, Nineteenth Pennsylvania Infantry.	Oct. 30, 1896	Anietam, Md.	Sept. 17, 1862.	After his command had been forced to fall back, remained alone on the line of battle, caring for his wounded comrades and carrying 1 of them to a place of safety.
1920	Bickford, Henry H., corporal, Company E, Eighth New York Cavalry.	Mar. 26, 1865	Waynesboro, Va.	Mar. 2, 1865.	Recapture of flag.
1081	Bickford, Matthew, corporal, Company G, Eighth Missouri Infantry.	Aug. 31, 1894	Vicksburg, Miss.	May 22, 1863.	Gallantry in the charge of the "volunteer storming party."
2524	Bickham, Charles G., first lieutenant, Twenty-seventh U. S. Infantry.	Apr. 28, 1904	Bayang, near Lake Lano, Mindanao, P. I.	May 2, 1902.	Crossed a fire-swept field, in close range of the enemy, and brought a wounded soldier to a place of shelter.
1704	Bieger, Charles, private, Company D, Fourth Missouri Cavalry.	July 8, 1897	Ivy Farm, Miss.	Feb. 22, 1864.	Voluntarily risked his life by taking a horse, under heavy fire, beyond the line of battle for the rescue of his captain, whose horse had been killed in a charge, and who was surrounded by the enemy's skirmishers.
2525	Biogler, George W., captain, Twenty-eighth U. S. Volunteer Infantry.	Mar. 11, 1902	Near Looc, Luzon, P. I.	Oct. 21, 1900.	With but 19 men resisted, and at close quarters defeated, 300 of the enemy.
1759	Bingham, Henry H., captain Company G, One hundred and fortieth Pennsylvania Infantry.	Aug. 31, 1893	Wilderness, Va.	May 6, 1864.	Rallied and led into action a portion of the troops who had given way under the fierce assaults of the enemy.
1950	Birdsall, Horatio L., sergeant, Company B, Third Iowa Cavalry.	June 17, 1865	Columbus, Ga.	Apr. 16, 1865.	Capture of flag and bearer.
2526	Birkhimer, William E., captain, Third U. S. Artillery.	July 15, 1902	San Miguel de Mayumo, Luzon, P. I.	May 13, 1899.	With 12 men charged and routed 300 of the enemy.
41	Bisbee, Charles D., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1895	do.	do.	See note at end of table.
42	Bisbee, Orrin S., private, Company E, Twenty-seventh Maine Infantry.	do.	do.	do.	Do.
1031	Bishop, Daniel, sergeant, Company A, Fifth U. S. Cavalry.	Apr. 12, 1875	Turret Mountain, Ariz.	Mar. 25, 1873.	Gallantry in engagements.
1348	Bishop, Francis A., private, Company C, Fifty-seventh Pennsylvania Infantry.	Dec. 1, 1884	Spotsylvania, Va.	May 12, 1864.	Capture of flag.
43	Black, George E., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1895	do.	do.	See note at end of table.
1169	Black, John C., lieutenant colonel, Thirty-seventh Illinois Infantry.	Oct. 31, 1893	Prairie Grove, Ark.	Dec. 7, 1892.	Gallantly charged the position of the enemy at the head of his regiment, after two other regiments had been repulsed and driven down the hill, and captured a battery; was severely wounded.
1170	Black, William F., captain Company K, Thirty-seventh Illinois Infantry.	Oct. 2, 1893	Pea Ridge, Ark.	Mar. 7, 1892.	Single handed confronted the enemy, firing a rifle at them and thus checking their advance within 100 yards of the lines.

2169	Blackmar, Wilmon W., lieutenant, Company H, First West Virginia Cavalry.	Oct. 23, 1897	Five Forks, Va.....	Apr. 1, 1895	At a critical stage of the battle, without orders, led a successful advance upon the enemy.
2178	Blackwood, William R. D., surgeon, Forty-eighth Pennsylvania Infantry.	July 21, 1897	Petersburg, Va.....	Apr. 2, 1895	Removed severely wounded officers and soldiers from the field while under a heavy fire from the enemy, exposing himself beyond the call of duty, thus furnishing an example of most distinguished gallantry.
1020	Blair, James, first sergeant Company I, First U. S. Cavalry.	Apr. 12, 1875		Winter of 1872-73	Gallant conduct during the campaigns and engagements with Apaches.
44	Bianhard, Jacob S., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1895			See note at end of table.
45	Bianhard, Stephen, corporal, Company I, Twenty-seventh Maine Infantry.	do.....			Do.
979	Bianquet, Indian scout.....				
1082	Biasdell, Thomas A., private, Company H, Eighty-third Indiana Infantry.	Apr. 12, 1875		Winter of 1872-73	Gallant conduct during the campaigns and engagements with Apaches.
1851	Bickensiefer, Milton, corporal, Company F, One hundred and twenty-sixth Ohio Infantry.	Aug. 11, 1894	Vicksburg, Miss.....	May 22, 1893	Gallantry in the charge of the "volunteer storming party."
1781	Biss, George N., captain, Company C, First Rhode Island Cavalry.	May 10, 1895	Petersburg, Va.....	Apr. 3, 1895	Capture of flag.
		Aug. 3, 1897	Waynesboro, Va.....	Sept. 28, 1894	
1171	Bliss, Zenas R., colonel Seventh Rhode Island Infantry.	Dec. 30, 1898	Fredericksburg, Va....	Dec. 13, 1892	While in command of the provost guard in the village he saw the Union lines returning before the attack of a greatly superior force of the enemy, mustered his guard, and, without orders, joined in the defense and charged the enemy without support. He received 3 saber wounds, his horse was shot, and he was taken prisoner.
1178	Blodgett, Wells H., first lieutenant Company D, Thirty-seventh Illinois Infantry.	Feb. 15, 1894	Newtonia, Mo.....	Sept. 30, 1892	This officer, to encourage his regiment, which had never before been in action, and which had been ordered to lie down to protect itself from the enemy's fire, arose to his feet, advanced in front of the line, and himself fired several shots at the enemy at short range, being fully exposed to their fire at the time.
46	Blood, Charles H., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1895			With a single orderly captured an armed picket of 8 men and marched them in prisoners.
1384	Blucher, Charles, corporal, Company H, One Hundred and Eighty-Eighth Pennsylvania Infantry.	Apr. 6, 1895	Fort Harrison, Va.....	Sept. 29, 1894	See note at end of table.
1921	Boehm, Peter M., second lieutenant, Company K, Fifteenth New York Cavalry.	Dec. 15, 1898	Dinwiddle Court House, Va.	Mar. 31, 1895	Planted first national colors on the fortifications.
2315	Blunt, John W. (See addenda.)				
2327	Boehle, Otto. (See addenda.)				
1862	Bonebrake, Henry G., lieutenant, Company G, Seventeenth Pennsylvania Cavalry.	May 3, 1895	Five Forks, Va.....	Apr. 1, 1895	While acting as aide to Gen. Custer took a flag from the hands of a color bearer, rode in front of a line that was being driven back, and, under a heavy fire, rallied the men, re-formed the line, and repulsed the charge.
					Capture of flag.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1821	Bonnaffon, Sylvester, Jr., first lieutenant, Company G, Ninety-ninth Pennsylvania Infantry.	Sept. 28, 1863	Boydton Plank Road, Va.	Oct. 27, 1864	Checked the rout and rallied the troops of his command in the face of a terrible fire of musketry; was severely wounded.
1179	Boody, Robert M., sergeant, Company B, Fortieth New York Infantry.	July 8, 1866	Williamsburg, Va.	May 5, 1862	This soldier, then a corporal, at great personal risk, voluntarily saved the lives of and brought from the battle field 2 wounded comrades.
47	Boody, Sylvester O., private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Charlottesville, Va.	May 2, 1863	Voluntarily and at great personal risk brought from the field of battle and saved the life of Capt. George B. Carso, Company C, Fortieth New York Volunteer Infantry.
1863	Boon, Hugh P., captain, Company B, First West Virginia Cavalry.	May 3, 1865	Sallors Creek, Va.	Apr. 6, 1865	Capture of flag.
2499	Boquet, Nicholas, private, Company D, First Iowa Infantry.	Feb. 16, 1867	Wilsons Creek, Mo.	Aug. 10, 1861	Voluntarily left the line of battle and, exposing himself to imminent danger from a heavy fire of the enemy, assisted in capturing a riderless horse at large between the lines, and, hitching him to a disabled gun, saved the gun from capture.
1705	Bass Orlando, corporal, Company F, Twenty-fifth Massachusetts Infantry.	May 10, 1868	Cold Harbor, Va.	June 3, 1864	Rescued his lieutenant, who was lying between the lines mortally wounded; this under a heavy fire of the enemy.
48	Boston, Elijah F., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1172	Boutke, John G., private, Company E, Fifteenth Pennsylvania Cavalry.	Nov. 16, 1867	Stone River, Tenn.	Dec. 31, 1862, and Jan. 1, 1863	Gallantry in action.
1864	Boury, Richard, sergeant, Company C, First West Virginia Cavalry.	Mar. 26, 1865	Charlottesville, Va.	Mar. 5, 1865	Capture of flag.
2179	Boutwell, John M. (See addenda.)	Jan. 24, 1865			See note at end of table.
49	Bowden, Charles A., private, Company G, Twenty-seventh Maine Infantry.	Nov. 19, 1870	Wichita River, Tex.	Oct. 5, 1870	Gallantry in pursuit of and fight with Indians.
2215	Bowden, Samuel, corporal, Company M, Sixth U. S. Cavalry.	Sept. 27, 1864	Winchester, Va.	Sept. 19, 1864	Capture of flag.
1618	Bowen, Chester B., corporal, Company I, Nineteenth New York Cavalry (First New York Dragoons).	July 21, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
1083	Bowen, Emmet, private, Company C, One hundred and twenty-seventh Illinois Infantry.	Nov. 4, 1863	Cibola Creek, Ariz.	Aug. 30, 1861	Conspicuous and extraordinary bravery in attacking numerous scouts.
2216	Bowman, Alonso, sergeant, Company D, Sixth U. S. Cavalry.	Apr. 7, 1865	Resaca, Ga.	May 14, 1864	Capture of flag of the Thirty-eighth Alabama Infantry (C. S. A.).
1610	Box, Thomas J., captain, Company D, Twenty-seventh Indiana Infantry.				

2217	Boyer, Thomas, sergeant, Company C, Ninth U. S. Cavalry.	Jan. 6, 1883	Miners Mountains, N. Mex.	May 29, 1879.	Bravery in action.
50	Boynston, Granville M., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Cuchillo Negro, N. Mex.	Sept. 27, 1879.	Do.
1432	Boytton, Henry V., lieutenant colonel, Thirty-fifth Ohio Infantry.	Nov. 15, 1863	Missionary Ridge, Tenn.	Nov. 25, 1863.	See note at end of table.
51	Bracey, James F., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Led his regiment in the face of a severe fire of the enemy; was severely wounded.
52	Bracey, John, private, Company I, Twenty-seventh Maine Infantry.	do.			See note at end of table.
53	Brackett, David H., corporal, Company B, Twenty-seventh Maine Infantry.	do.			Do.
54	Brackett, Lorenzo D., sergeant, Company F, Twenty-seventh Maine Infantry.	do.			Do.
55	Bradbury, Charles W., private, Company A, Twenty-seventh Maine Infantry.	do.			Do.
56	Bradbury, Eben H. C., private, Company A, Twenty-seventh Maine Infantry.	do.			Do.
57	Bradbury, Edward, private, Company A, Twenty-seventh Maine Infantry.	do.			Do.
58	Bradbury, Henry M., private, Company A, Twenty-seventh Maine Infantry.	do.			Do.
59	Bradbury, Joseph F., private, Company A, Twenty-seventh Maine Infantry.	do.			Do.
2218	Bradbury Sanford, first sergeant, Company L, Eighth U. S. Cavalry.	Mar. 3, 1870	Hall Canyon, Ariz.	July 3, 1869.	Conspicuous gallantry in action.
60	Braden, Alexander M., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
61	Braden, Henry, private, Company D, Twenty-seventh Maine Infantry.	do.			Do.
1466	Bradley, Thomas W., sergeant, Company H, One hundred and twenty-fourth New York Infantry.	June 10, 1866	Chancellorsville, Va.	May 3, 1863.	Volunteered in response to a call, and alone, in the face of a heavy fire of musketry and canister, went and procured ammunition for the use of his comrades.
1620	Brady, James, private, Company F, Tenth New Hampshire Infantry.	Apr. 6, 1865	Chapin's farm, Virginia	Sept. 29, 1864.	Capture of flag.
62	Braddon, Benjamin T., private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
63	Braddon, Edmund, jr., second lieutenant, Company H, Twenty-seventh Maine Infantry.	do.			Do.
64	Braddon, James A., private, Company E, Twenty-seventh Maine Infantry.	do.			Do.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
65	Braddon, Sumner, private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865		Jan. 21, 1865	See note at end of table.
2219	Brangan, Edward, private, Company F, Fourth U. S. Cavalry.	Nov. 19, 1872	Red River, Tex.	Sept. 29, 1872	Gallantry in action.
1341	Brandie, Joseph E., private, Company C, Seventeenth Michigan Infantry.	July 20, 1867	Lenoir, Tenn.	Nov. 16, 1863	While color bearer of his regiment, having been twice wounded and the color of one eye destroyed, still held to the colors until ordered to the rear by his regimental commander.
1467	Braunigan, Felix, private, Company A, Seventy-fourth New York Infantry.	June 29, 1866	Chancellorsville, Va.	May 2, 1863	Volunteered on a dangerous service and brought in valuable information.
2220	Brant, Abram B., private, Company D, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn, Mont.	June 25, 1876	Brought water for the wounded under a most galling fire.
1965	Brant, William, lieutenant, Company B, First New Jersey Veteran Battalion.	May 10, 1865	Petersburg, Va.	Apr. 3, 1865	Capture of battle flag of Forty-sixth North Carolina (C. S. A.).
1956	Bras, Edgar A., sergeant, Company K, Eighth Iowa Infantry.	June 8, 1865	Spanish Fort, Ala.	Apr. 8, 1865	Capture of flag.
968	Bratling, Frank, corporal, Company C, Eighth U. S. Cavalry.	Aug. 12, 1875	Near Fort Selden, N. Mex.	July 8-11, 1873	Services against hostile Indians.
1957	Brest, Lewis F., private, Company D, Fifty-seventh Pennsylvania Infantry.	May 10, 1865	Sallors Creek, Va.	Apr. 6, 1865	Capture of flag.
2221	Brett, Lloyd M., second lieutenant, Second U. S. Cavalry.	Feb. 7, 1896	O'Fallons Creek, Mont.	Apr. 1, 1880	Fearless exposure and dashing bravery in cutting off the Indians' pony herd, thereby crippling the hostiles.
1963	Brewer, William J., private, Company G, Second New York Cavalry.	May 3, 1865	Appomattox, Va.	Apr. 4, 1865	Capture of engineer flag, Army of Northern Virginia.
2590	Brewster, Andre W., captain, Ninth U. S. Infantry.	Sept. 15, 1903	Tientsin, China.	July 13, 1900	While under fire rescued two of his men from drowning.
1180	Breyer, Charles, sergeant, Company I, Ninetieth Pennsylvania Infantry.	July 8, 1896	Rappahannock Station, Va.	Aug. 23, 1862	Voluntarily and at great personal risk, picked up an unexploded shell and threw it away, thus doubtless saving the life of a comrade whose arm had been taken off by the same shell.
66	Briard, Robert, sergeant, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
67	Bridges, Joseph, private, Company E, Twenty-seventh Maine Infantry.	do.			Do.
1969	Briggs, Elijah A., corporal, Company B, Second Connecticut Heavy Artillery.	May 10, 1865	Petersburg, Va.	Apr. 3, 1865	Capture of battle flag.
2132	Bringle, Andrew, corporal, Company F, Tenth New York Cavalry.	July 3, 1865	Sallors Creek, Va.	Apr. 6, 1865	Charged the enemy and assisted Sergt. Norton in capturing a field piece and two prisoners.
2222	Brogan, James, sergeant, Company G, Sixth U. S. Cavalry.	Jan. 9, 1880	Simon Valley, Ariz.	Dec. 14, 1877	Engaged, single handed, two renegade Indians until his horse was shot under him, and then pursued them so long as he was able.
1790	Bronson, James H., first sergeant, Company D, Fifth U. S. C. T.	Apr. 6, 1865	Chapin's Farm, Va.	Sept. 29, 1864	Took command of his company, all the officers having been killed or wounded, and gallantly led it.

2596	Brooklin, Oscar, private, Company C, Seventeenth U. S. Infantry.	June 21, 1899	El Caney, Cuba.....	July 1, 1898.....	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy. See note at end of table.
68	Brooks, Nathaniel, corporal, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Arizona.....	1868.....	Bravery in scouts and actions with Indians.
866	Brophy, James, private, Company B, Eighth U. S. Cavalry.	July 24, 1899	Petersburg, Va.....	June 17, 1864.....	Rescued a wounded comrade who lay exposed to the enemy's fire, receiving a severe wound in the effort.
1706	Brosnan, John, sergeant, Company E, One hundred and sixty-fourth New York Infantry.	Jan. 18, 1894	Missionary Ridge, Tenn.	Nov. 25, 1863.....	To encourage his men whom he had ordered to lie down while under severe fire, and who were partially protected by slight earthworks, himself refused to lie down, but walked along the top of the works until he fell, severely wounded.
1505	Brouse, Charles W., captain, Company K, One-hundredth Indiana Infantry.	May 16, 1899	Arizona.....	May 11, 1899.....	Although shot in the abdomen, in a fight between a paymaster's escort and robbers, did not leave the field until again wounded through both arms.
2500	Brown, Benjamin, sergeant, Company C, Twenty-fourth U. S. Infantry.	Feb. 19, 1890	Arizona.....	Aug. 19, 1864.....	Capture of flag of Forty-seventh Virginia Infantry (C. S. A.). See note at end of table.
1319	Brown, Charles, sergeant, Company C, Fiftieth Pennsylvania Infantry.	Dec. 1, 1864	Weldon Railroad, Va..	.....	Severely wounded while carrying the colors, he continued at his post, under fire, until ordered to the rear.
69	Brown, Cyrus E., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Fredericksburg and Salem Heights, Va.	May 3-4, 1863.....	Voluntarily and under a heavy fire from the enemy, three times crossed the field of battle with a load of ammunition in a blanket on his back, thus supplying the Federal forces, whose ammunition had nearly all been expended, and enabling them to hold their position until reinforcements arrived, when the enemy were driven from their position.
1342	Brown, Edward, Jr., corporal, Company G, Sixty-second New York Infantry.	Nov. 24, 1890	Wilderness, Va.....	May 6, 1864.....	In command of a detachment of 4 men, defeated a superior force.
1784	Brown, Henri Le Fevre, sergeant, Company B, Seventy-second New York Infantry.	June 23, 1896	Davidson Canyon, near Camp Crittenden, Ariz.	Aug. 27, 1872.....	See note at end of table.
2223	Brown, James, sergeant, Company F, Fifth U. S. Cavalry.	Dec. 4, 1874	Petersburg, Va.....	.....	Do.
70	Brown, James H., private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	With 100 selected volunteers, assaulted and captured the works of the enemy, together with a number of officers and men.
71	Brown, James W., private, Company G, Twenty-seventh Maine Infantry.	do.....	.....	.....	See note at end of table.
1785	Brown, Jeremiah Z., captain, Company K, One-hundred and forty-eighth Pennsylvania Infantry.	June 22, 1896	Petersburg, Va.....	Oct. 27, 1864.....	See note at end of table.
72	Brown, John, private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Vicksburg, Miss.....	May 19, 1863.....	Voluntarily carried a verbal message from Col. A. C. Parry to Gen. Hugh Ewing through a terrific fire and in plain view of the enemy.
1468	Brown, John H., first sergeant, Company A, Forty-seventh Ohio Infantry.	Aug. 24, 1896	Franklin, Tenn.....	Nov. 30, 1864.....	Capture of flag. See note at end of table.
1621	Brown, John H., captain, Company D, Twelfth Kentucky Infantry.	Feb. 13, 1865	Big Hole, Mont.....	Aug. 9, 1877.....	After having been severely wounded in right shoulder continued to do duty in a most courageous manner.
73	Brown, John W., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Gettysburg, Pa.....	July 3, 1863.....	See note at end of table.
1013	Brown, Lorenzo D., private, Company A, Seventh U. S. Infantry.	May 8, 1878	.....	.....	Capture of flag.
74	Brown, Lorenzo T., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	.....
1415	Brown, Morris, Jr., captain, Company A, One-hundred and twenty-sixth New York Infantry.	Mar. 6, 1899	.....	.....	.....

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
75	Brown, Philip A., private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1416	Brown, Robert B., private, Company A, Fifteenth Ohio Infantry.	Mar. 27, 1880	Missionary Ridge, Tenn.	Nov. 25, 1863	Capture of flag.
1084	Brown, Uriah, private, Company G, Thirtieth Ohio Infantry.	Aug. 15, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
933	Brown, Wilson, private, Company F, Twenty-first Ohio Infantry.	Sept. —, 1863	Georgia	April, 1862	One of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell), penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta.
952	Brownell, Francis E., private, Company A, Eleventh New York Infantry.	Jan. 26, 1877		May 24, 1861	Killed the murderer of Col. Ellsworth at the Marshall House, Alexandria, Va.
1181	Browner, August, private, Company C, First New York Artillery.	Apr. 19, 1892	White Oak Swamp, Va.	June 30, 1862	Continued to fight after being severely wounded.
1469	Bruner, Louis J., private, Company H, Fifth Indiana Cavalry.	Mar. 9, 1886	Malvern Hill, Va., Walker's Ford, Tenn.	July 1, 1862 Dec. 2, 1863	Do. Voluntarily passed through the enemy's lines under fire and conveyed to a battalion then in a perilous position and liable to capture information which enabled it to reach a point of safety.
1767	Brush, George W., lieutenant, Company B, Thirty-fourth U. S. C. T.	Jan. 21, 1897	Ashepool River, S. C.	May 24, 1864	Voluntarily commanded a boat crew, which went to the rescue of a large number of Union soldiers on board the stranded steamer Boston, and with great gallantry succeeded in conveying them to shore, being exposed during the entire time to a heavy fire from a Confederate battery.
1960	Bruton, Christopher C., captain Company C, Twenty-second New York Cavalry.	Mar. 26, 1865	Waynesboro, Va.	Mar. 2, 1865	Capture of Gen. Early's headquarters flag, Confederate national standard.
2224	Bryan, William C., hospital steward, U. S. A.	July 23, 1900	On the Powder River, Wyo.	Mar. 17, 1876	Accompanied a detachment of cavalry in a charge on a village of hostile Indians and fought through the engagement. Having his horse killed under him, he continued to fight on foot, and, under severe fire and without assistance, conveyed two wounded comrades to places of safety, saving them from capture.
1506	Bryant, Andrew S., sergeant, Company A, Forty-sixth Massachusetts Infantry.	Aug. 13, 1873	Newbern, N. C.	May 23, 1863	By his courage and judicious disposition of his guard of 16 men, stationed in a small earthwork at the head of the bridge, held in check and repulsed for a half hour a fierce attack of a strong force of the enemy, thus probably saving the city (Newbern) from capture.
76	Bryant, Frederick S., first lieutenant, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table
77	Bryant, Seth F., captain Company I, Twenty-seventh Maine Infantry.	do.....			Do.

1786	Buchanan, George A., private, Company G, One hundred and forty-eighth New York Infantry.	Apr. 6, 1865	Chapin's farm, Virginia.	Sept. 29, 1864	Took position in advance of the skirmish line, and drove the enemy's cannoners from their guns; was mortally wounded.
1864	Buck, F. Clarence, corporal, Company A, Twenty-first Connecticut Infantry.	do.	do.	do.	Although wounded, refused to leave the field until the fight closed.
2009	Buckingham, David E., first lieutenant, Company E, Fourth Delaware Infantry.	Feb. 13, 1865	Rowanty Creek, Va.	Feb. 5, 1865	Swam the partly frozen creek, under fire, in the attempt to capture a crossing.
1585	Buckley, Abraham J., sergeant, Company E, Nineteenth Indiana Infantry.	Dec. 4, 1863	Wilderness, Va.	May 5, 1864	Though suffering from an open wound, carried the regimental colors until again wounded.
1622	Buckley, Dennis, private, Company G, One hundred and thirty-sixth New York Infantry.	Apr. 7, 1865	Peach Tree Creek, Ga.	July 20, 1864	Capture of flag of Thirty-first Mississippi Infantry (C. S. A.).
1085	Buckley, John C., private, Company G, Fourth Virginia Infantry.	July 9, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
1567	Bucklyn, John K., first lieutenant, Battery E, First Rhode Island Light Artillery.	July 13, 1869	Chancellorsville, Va.	May 3, 1863	Though himself wounded, gallantly fought his section of the battery under a fierce fire from the enemy until his ammunition was all expended, many of the cannoners and most of the horses killed or wounded and the enemy within 25 yards of the guns, when, disabling one piece, he brought off the other in safety.
934	Buffum, Robert, private, Company H, Twenty-first Ohio Infantry.	Mar. 25, 1863	Georgia	April, 1862	(One of 22 men (including two civilians) who, by direction of Gen. Mitchell (or Buell) penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta.)
2100	Bullington, John E. (See addenda.)	July 12, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
1861	Burman, Henry G., private, Company H, Fifty-fourth Ohio Infantry.	May 20, 1865	do.	April, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
904	Bullock, Luther E., first sergeant, Company E, Ninth V. R. C.	July 10, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
1087	Bungarner, William, sergeant, Company A, Fourth Virginia Infantry.	Jan. 24, 1865	do.	do.	See note at end of table.
78	Burbank, Arthur C., sergeant, Company A, Twenty-seventh Maine Infantry.	do.	do.	do.	do.
79	Burbank, Horace H., quartermaster sergeant, Twenty-seventh Maine Infantry.	do.	do.	do.	do.
1182	Burbank, James H., sergeant, Company K, Fourth Rhode Island Infantry.	July 27, 1866	Blackwater, near Franklin, Va.	Oct. 3, 1862	Gallantry in action while on detached service on board a gunboat.
80	Burbank, John P., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.	do.	See note at end of table.
81	Burbank, Luther S., private, Company H, Twenty-seventh Maine Infantry.	do.	do.	do.	do.
82	Burbank, Monroe A., corporal, Company K, Twenty-seventh Maine Infantry.	do.	do.	do.	do.
83	Burbank, Porter M., private, Company A, Twenty-seventh Maine Infantry.	do.	do.	do.	do.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
2597	Burg, George (see Berg), private, Company C, Seventeenth U. S. Infantry.	June 22, 1899	El Caney, Cuba.....	July 1, 1898.....	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy.
1457	Burger, Joseph, private, Company H, Second Minnesota Infantry.	Sept. 11, 1897	Notensville, Tenn.....	Feb. 15, 1893.....	Was one of a detachment of 16 men who heroically defended a wagon train against the attack of 125 cavalry, repulsed the attack, and saved the train.
1350	Burk, Michael, private, Company D, One hundred and twenty-fifth New York Infantry.	Dec. 1, 1894	Spottsylvania, Va.....	May 12, 1864.....	Capture of flag, seizing it as his regiment advanced over the enemy's works.
1708	Burk, Thomas, sergeant, Company H, Ninety-seventh New York Infantry.	Aug. 24, 1896	Wilderness, Va.....	May 6, 1864.....	At the risk of his own life, went back while the rebels were still firing and finding Col. Wheelock unable to move, alone and unaided carried him off the field of battle.
2225	Burkard, Oscar, private, Hospital Corps, U. S. Army.	Aug. 21, 1899	Leech Lake, Minn.....	Oct. 5, 1898.....	Bravery in action against hostile Indians.
1212	Burke, Daniel W., first sergeant, Company B, Second U. S. Infantry.	Apr. 21, 1892	Shepherdstown Ford, Va.	Sept. 20, 1862.....	Voluntarily attempted to spike a gun in the face of the enemy.
867	Burke, Patrick J., farrier, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona.....	1868.....	Bravery in scouts and actions with Indians.
2226	Burke, Richard, private, Company G, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	October, 1876, to January, 1877.	Gallantry in engagements.
1417	Burke, Thomas, private, Company A, Fifth New York Cavalry.	Feb. 11, 1878	Hanover, Pa.....	June 30, 1863.....	Capture of battle flag.
84	Burnell, Nathaniel A., corporal, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	do.....	See note at end of table.
85	Burnes, George, muskadeer, Company D, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
86	Burnes, James, private, Company F, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
2227	Burnett, George R., second lieutenant, Ninth U. S. Cavalry.	July 20, 1897	Cuchillo-Negro Mountains, N. Mex.	Aug. 16, 1881.....	Saved the life of a dismounted soldier, who was in imminent danger of being cut off, by alone galloping quickly to his assistance under a heavy fire and escorting him to a place of safety, his horse being twice shot in this action.
87	Burnham, Charles L., private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	do.....	See note at end of table.
88	Burnham, Eben, private, Company F, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
89	Burnham, Elbridge, private, Company F, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
90	Burnham, Francis M., private, Company F, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.

91	Burnham, Thatcher W., private, Company H, Twenty-seventh Maine Infantry.	do.	New Market, Va.	May 15, 1864.	Do.	Under a heavy fire of musketry, rallied a few men to the support of the colors, in danger of capture, and bore them to a place of safety. One of his comrades having been severely wounded in the effort, Sergt. Burns went back 100 yards in the face of the enemy's fire and carried the wounded man from the field. Voluntarily acted as a fireman on a steam tug which ran the blockade and passed the batteries under a heavy fire.
1709	Burns, James M., sergeant, Company B, First West Virginia Infantry.	Nov. 20, 1866				See note at end of table.
974	Burrill, William W., private, Company G, One hundred and thirtieth Illinois Infantry.	July 8, 1866	Vicksburg, Miss.	Apr. 27, 1863	Do.	
92	Bussell, George, private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.	
93	Bussell, John C., private, Company I, Twenty-seventh Maine Infantry.	do.			Do.	
94	Butland, Francis, first sergeant, Company E, Twenty-seventh Maine Infantry.	do.			Do.	
95	Butland, Nathaniel, private, Company I, Twenty-seventh Maine Infantry.	do.			Do.	
96	Butler, Benjamin H., private, Company D, Twenty-seventh Maine Infantry.	do.			Do.	
2228	Butler, Edmund, captain, Fourteenth U. S. Infantry.	Nov. 27, 1894	Wolf Mountain, Mont.	Jan. 8, 1877		Most distinguished gallantry in action with hostile Indians.
97	Butler, William N., private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865				See note at end of table.
98	Butler, Willis H., sergeant, Company E, Twenty-seventh Maine Infantry.	do.			Do.	
99	Butick, Benjamin, private, Company I, Twenty-seventh Maine Infantry.	do.			Do.	
1213	Butterfield, Daniel, brigadier general, U. S. Volunteers.	Sept. 26, 1892	Gaines Mills, Va.	June 27, 1862		Seized the colors of the Eighty-third Pennsylvania Volunteers at a critical moment and, under a galling fire of the enemy, encouraged the depleted ranks to renewed exertion.
1433	Butterfield, Frank G., lieutenant, Company A, Sixth Vermont Infantry.	May 4, 1891	Salem Heights, Va.	May 4, 1863		Took command of the skirmish line and covered the movement of his regiment out of a precarious position.
2598	Buzzard, Ulysses G., private, Company C, Seventeenth U. S. Infantry.	June 24, 1899	El Caney, Cuba.	July 1, 1898		Gallantly assisted in the rescue of the wounded from in front of the line and under heavy fire from the enemy.
100	Buzzell, Elijah S., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865				See note at end of table.
101	Buzzell, Jacob L., private, Company H, Twenty-seventh Maine Infantry.	do.			Do.	
2628	Byrne, Bernard A., captain, Sixth U. S. Infantry.	July 15, 1902	Bobong, Negroes, P. I.	July 19, 1899		Most distinguished gallantry in rallying his men on the bridge after line had been broken and pushed back.
2229	Byrne, Denis, sergeant, Company G, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	October, 1876, to January, 1877.		Gallantry in engagements.
2230	Cable, Joseph A., private, Company I, Fifth U. S. Infantry.	do.	do.	do.		Gallantry in actions.
1922	Cadwalader, Abel G., corporal, Company H, First Maryland Infantry.	Jan. 5, 1897	Hatchers Run and Dabneys Mills, Va.	Feb. 6, 1895		Gallantly planted the colors on the enemy's works in advance of the arrival of his regiment.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1859	Cadwell, Luman L., sergeant, Company B, Second New York Veteran Cavalry.	Aug. 17, 1864	Alabama Bayou, La.	Sept. 20, 1864	Swam the bayou under fire of the enemy and captured and brought off a boat by means of which the command crossed and routed the enemy.
1961	Caldwell, Daniel, sergeant, Company H, Thirtieth Pennsylvania Cavalry.	Feb. 25, 1865	Hatchers Run, Va.	Feb. 6, 1865	In a mounted charge, dashed into center of the enemy's line and captured their colors.
1962	Calkin, Ivers S., first sergeant, Company M, Second New York Cavalry.	May 3, 1865	Sallors Creek, Va.	Apr. 6, 1865	Capture of flag of Eighteenth Virginia Infantry (C. S. A.).
102	Call, Nathan, private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
905	Callaghan, Patrick, first sergeant, Company H, Ninth V. R. C.	May 20, 1865		April, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
1963	Callahan, John H., private, Company B, One hundred and twenty-second Illinois Infantry.	June 8, 1865	Fort Blakely, Ala.	Apr. 9, 1865	Capture of flag.
2231	Callan, Thomas J., private, Company B, Seventh U. S. Cavalry.	Oct. 24, 1866	Little Big Horn, Mont.	June 25 and 26, 1876	Volunteered and succeeded in obtaining water for the wounded of the command; also displayed conspicuously good conduct in assisting to drive away the Indians.
2232	Calvert, James S., private, Company C, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	October, 1876, to January, 1877	Gallantry in actions.
103	Came, Frank, private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2181	Camp, Carleton N. (see p. 3, addenda).				
1964	Campbell, James A., private, Company A, Second New York Cavalry.	Oct. 30, 1867	Woodstock, Va.	Jan. 22, 1865	While his command was retreating before superior numbers, he voluntarily rushed back with one companion and rescued his commanding officer, who had been unhorsed and left behind.
1088	Campbell, William, Company I, Thirtieth Ohio Infantry.	Aug. 14, 1864	Amelia Court House, Va.	Apr. 5, 1865	Captured 2 battle flags.
2233	Canfield, Heth, private, Company C, Second U. S. Cavalry.	June 22, 1870	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
2599	Cantrill, Charles P., private, Company F, Tenth U. S. Infantry.	June 22, 1899	Little Blue, Nebr.	May 15, 1870	Gallantry in action.
1434	Capohart, Charles E., major, First West Virginia Cavalry.	Apr. 7, 1898	Santiago, Cuba	July 1, 1898	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy.
1710	Capohart, Henry, colonel First West Virginia Cavalry.	Feb. 12, 1896	Monterey Mountain, Pa.	July 4, 1863	While commanding the regiment, charged down the mountain side at midnight, in a heavy rain, upon the enemy's fleeing wagon train. Many wagons were captured and destroyed and many prisoners taken.
1214	Capron, Horace, Jr., sergeant, Company O, Eighth Illinois Cavalry.	Sept. 27, 1865	Greenbrier River, W. Va.	May 22, 1864	Saved, under fire, the life of a drowning soldier.
			Chickahominy and Ashland, Va.	June, 1862	Gallantry in action.

906	Carr, Frank, first sergeant Company E, Twelfth V. R. C.	May 20, 1865	.....	April, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
1418	Carey, Hugh, sergeant, Company E, Eighty-second New York Infantry.	Feb. 6, 1868	Gettysburg, Pa.	July 2, 1863	Captured the flag of the Seventh Virginia Infantry (C. S. A.), being twice wounded in the effort.
1568	Carlisle, Casper, private, Company F, Independent Pennsylvania Light Artillery.	Dec. 21, 1862	do	do	Saved a gun of his battery under heavy musketry fire, most of the horses being killed and the drivers wounded.
104	Carl, William F., corporal, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1159	Carman, Isaac H., corporal, Company A, Forty-eighth Ohio Infantry.	Feb. 25, 1865	Vietsburg, Miss.	May 22, 1863	Saved his regimental flag; also seized and threw a shell, with burning fuse, from among his comrades.
2018	Carman, Warren, private, Company H, First New York (Lincoln) Cavalry.	Mar. 26, 1865	Waynesboro, Va.	Mar. 2, 1865	Capture of flag and several prisoners.
2518	Carney, William H., sergeant, Company C, Fifty-fourth Massachusetts Infantry.	May 23, 1900	Fort Wagner, S. C.	July 18, 1863	When the color sergeant was shot down, this soldier grasped the flag, led the way to the parapet, and planted the colors thereon. When the troops fell back he brought off the flag under a fierce fire, in which he was twice severely wounded.
105	Carpenter, John R., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1009	Carpenter, Louis H., captain, Tenth U. S. Cavalry.	Apr. 8, 1868	Indian campaigns, Kansas and Colorado.	September and October, 1868	Was gallant and meritorious throughout the campaigns, especially in the combat of Oct. 15, and in the forced march on Sept. 23, 24, and 25, to the relief of Forsyth's scouts, who were known to be in danger of annihilation by largely superior forces of Indians.
907	Carpenter, Samuel T., first sergeant Company K, Seventh V. R. C.	May 20, 1865	.....	April, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
108	Carpenter, Whitney R., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	Directed the deployment of his command, and held his ground under a brisk fire of shot and shell, in which he was several times wounded.
107	Carpenter, William H., private, Company B, Twenty-seventh Maine Infantry.	do	.....	.....	Recapture of United States guidon from a rebel battery.
908	Carr, Augustus F., first sergeant Company D, Twelfth V. R. C.	May 20, 1865	.....	April, 1865	Gallantry in action.
1215	Carr, Eugene A., colonel Third Illinois Cavalry.	Jan. 16, 1864	Pea Ridge, Ark.	Mar. 7, 1862	See note at end of table.
1586	Carr, Franklin, corporal, Company D, One hundred and twenty-fourth Ohio Infantry.	Feb. 24, 1865	Nashville, Tenn.	Dec. 16, 1864	Bravery in scouts and actions with Indians.
2234	Carr, John, private, Company G, Eighth U. S. Cavalry.	Feb. 14, 1870	Chickasaw Mountain, Ariz.	Oct. 20, 1869	Most distinguished gallantry in battle.
108	Carr, William T., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	Capture of flag of Nineteenth Georgia Infantry (C. S. A.), wresting it from the hands of the color bearer.
868	Carroll, Thomas, private, Company L, Eighth U. S. Cavalry.	July 24, 1869	Arizona	August to October, 1868	Bravery in scouts and actions with Indians.
2529	Carson, Anthony J. (see p. 4, addenda).	Jan. 27, 1864	Chickamauga, Ga.	Sept. 19, 1863	.....
1507	Carson, William J., musician, Company E, First Battalion, Fifteenth U. S. Infantry.	Jan. 27, 1864	.....	.....	.....
1216	Carl, Jacob, private, Company A, Seventh Pennsylvania Reserve Corps.	Nov. 25, 1864	Fredericksburg, Va.	Dec. 13, 1862	.....
899	Carter, George, private, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona	August to October, 1868	.....

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1217	Carier, John J., second lieutenant, Company B, Thirty-third New York Infantry.	Sept. 10, 1897	Antietam, Md.	Sept. 17, 1862	While in command of a detached company, seeing his regiment thrown into confusion by a charge of the enemy, without orders made a countercharge upon the attacking column and checked the assault. Penetrated within the enemy's lines at night and obtained valuable information.
1965	Carier, Joseph F., captain, Company D, Third Maryland Infantry.	July 9, 1891	Fort Stedman, Va.	Mar. 25, 1865	Captured the colors of the Fifty-first Virginia Infantry (C. S. A.).
2235	Carier, Mason, first lieutenant, Fifth U. S. Infantry.	Nov. 27, 1894	Bear Paw Mountain, Mont.	Sept. 30, 1877	Led a charge under a galling fire, in which he inflicted great loss upon the enemy.
2236	Carier, Robert G., second lieutenant, Fourth U. S. Cavalry.	Feb. 27, 1900	On Brazos River, Tex.	Oct. 10, 1871	Held the left of the line with a few men during the charge of a large body of Indians, after the right of the line had retreated, and by delivering a rapid fire succeeded in checking the enemy until other troops came to the rescue.
2237	Carier, William H., first lieutenant, Sixth U. S. Cavalry.	Sept. 17, 1891	Cibola, Ariz.	Aug. 30, 1881	Rescued, with the voluntary assistance of two soldiers, the wounded from under a heavy fire.
1218	Carriano, Orlando E., private, Company K, Fifty-first New York Infantry.	Nov. 14, 1890	Newbern, N. C.	Mar. 14, 1862	Brought off the wounded color sergeant and the colors under a heavy fire of the enemy.
2101	Carey, James L., corporal, Company G, Tenth New York Cavalry.	July 3, 1865	South Mountain, Md.	Sept. 14, 1862	Was one of four soldiers who volunteered to determine the position of the enemy. While so engaged was fired upon and his three companions killed, but he escaped and rejoined his command in safety.
109	Cary, Michael, private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Salters Creek, Va.	Apr. 6, 1865	Daring bravery and urging the men forward in a charge.
1587	Cassey, David, private, Company C, Twenty-fifth Massachusetts Infantry.	Sept. 14, 1888	Cold Harbor, Va.	June 3, 1864	See note at end of table.
1007	Cassey, Henry, private, Company C, Twentieth Ohio Infantry.	Sept. 23, 1897	Vicksburg, Miss.	Apr. 22, 1863	Two color bearers having been shot dead, one after the other, the last one far in advance of his regiment and close to the enemy's lines, this soldier rushed forward, and, under a galling fire, after removing the dead body of the bearer therefrom, secured the flag and returned with it to the Union lines.
2238	Cassey, James S., captain, Fifth U. S. Infantry.	Nov. 27, 1894	Wolf Mountain, Mont.	Jan. 8, 1877	Voluntarily served as one of the crew of a transport that passed the forts under a heavy fire.
110	Cason, Joseph, private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Petersburg, Va.	July 30, 1864	Led his command in a successful charge against superior numbers of the enemy, strongly posted.
1860	Catlin, Isaac S., colonel, One hundred and ninth New York Infantry.	Jan. 13, 1899	Petersburg, Va.	July 30, 1864	See note at end of table.
2530	Cavotzka, Charles, private, Company F, Thirtieth U. S. Volunteer Infantry.	Mar. 14, 1902	Near Barisaya, Luzon, P. I.	Aug. 23, 1900	In a heroic effort to rally the disorganized troops was disabled by a severe wound. While being carried from the field he recovered somewhat and bravely started to return to his command, when he received a second wound, which necessitated amputation of his right leg. Single handed, he defended a disabled comrade against a greatly superior force of the enemy.

1761	Cayer, Ovilla, sergeant, Company A, Fourteenth U. S. Infantry.	Feb. 15, 1867	Weldon Railroad, Va.	Aug. 19, 1864	Commanded the regiment, all the officers being disabled.
2331	Cecil, Josephus S. (See addenda.)				See note at end of table.
111	Center, John W., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
112	Chadbourne, Warren T., private, Company K, Twenty-seventh Maine Infantry.	do			Do.
113	Chadbourne, James M., private, Company K, Twenty-seventh Maine Infantry.	do			Do.
114	Chadbourne, Joseph E., first lieutenant, Company E, Twenty-seventh Maine Infantry.	do			Do.
115	Chadbourne, Henry A., corporal, Company C, Twenty-seventh Maine Infantry.	do			Do.
116	Chadbourne, Nathan, corporal, Company K, Twenty-seventh Maine Infantry.	do			Do.
117	Chadbourne, Thomas, private, Company B, Twenty-seventh Maine Infantry.	do			Do.
118	Chadwick, Nathan A., private, Company F, Twenty-seventh Maine Infantry.	do			Do.
1508	Chamberlain, Joshua L., colonel, Twentieth Maine Infantry.	Aug. 11, 1863	Gettysburg, Pa.	July 2, 1863	Daring heroism and great tenacity in holding his position on the Little Round Top against repeated assaults, and carrying the advance position on the Great Round Top.
1509	Chamberlain, Orville T., second lieutenant, Company G, Seventy-fourth Indiana Infantry.	Mar. 11, 1866	Chickamauga, Ga.	Sept. 20, 1863	While exposed to a galling fire, went in search of another regiment, found its location, procured ammunition from the men thereof, and returned with the ammunition to his own company.
1966	Chambers, Joseph B., private, Company F, One hundredth Pennsylvania Infantry.	July 27, 1871	Petersburg, Va.	Mar. 25, 1865	Capture of colors of First Virginia Infantry (C. S. A.).
1861	Chandler, Henry F., sergeant, Company E, Fifty-ninth Massachusetts Infantry.	Mar. 30, 1868	do	June 17, 1864	Though seriously wounded in a bayonet charge, and directed to go to the rear, he declined to do so, but remained with his regiment and helped to carry the breastworks.
2180	Chandler, Stephen E., quartermaster sergeant, Company A, Twenty-fourth New York Cavalry.	Apr. 4, 1868	Amelia Springs, Va.	Apr. 5, 1865	Under severe fire of the enemy and of the troops in retreat, went between the lines to the assistance of a wounded and helpless comrade and rescued him from death or capture.
119	Chaney, Andrew, private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
120	Chaney, Charles H., private, Company B, Twenty-seventh Maine Infantry.	do			Do.
121	Chaney, Joseph, private, Company E, Twenty-seventh Maine Infantry.	do			Do.
2152	Chapin, Alarie B. (See addenda.)				
998	Chapman, Amos, scout.	Nov. 4, 1874	Wichita River, Tex.	Sept. 12, 1874	Gallantry in action.
122	Chapman, Charles, private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1007	Chapman, John, private, Company B, First Maine Heavy Artillery.	May 10, 1865	Sailors Creek, Va.	Apr. 6, 1865	Capture of flag.
123	Chapman, William, private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
124	Chapman, William W., corporal, Company G, Twenty-seventh Maine Infantry.	do.			Do.
1309	Chase, John F., private, Fifth Battery, Maine Light Artillery.	Feb. 7, 1868	Chancellorsville, Va.	May 3, 1863	Nearly all the officers and men of the battery having been killed or wounded, this soldier, with a comrade, continued to fire his gun after the other guns had ceased. The piece was then dragged off by the two, the horses having been shot, and its capture by the enemy was prevented.
125	Chase, Joseph T., second lieutenant, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
120	Chase, Josiah, Jr., corporal, Company E, Twenty-seventh Maine Infantry.	do.			Do.
127	Chase, Romanty E., private, Company G, Twenty-seventh Maine Infantry.	do.			Do.
2239	Cheever, Benjamin H., Jr., first lieutenant, Sixth U. S. Cavalry.	Apr. 25, 1861	White River, S. Dak.	Jan. 1, 1861	Headed the advance across White River, partly frozen, in a spirited movement to the effective assistance of Troop K, Sixth U. S. Cavalry.
128	Chellies, Albion K. P., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
129	Chellis, Frank, private, Company K, Twenty-seventh Maine Infantry.	do.			Do.
130	Chellis, Oscar D., private, Company K, Twenty-seventh Maine Infantry.	do.			Do.
131	Chick, Hanson D., private, Company K, Twenty-seventh Maine Infantry.	do.			Do.
132	Chick, Sylvester, private, Company G, Twenty-seventh Maine Infantry.	do.			Do.
1219	Child, Benjamin H., corporal, Battery A, First Rhode Island Light Artillery.	July 20, 1867	Antietam, Md.	Sept. 17, 1862	Was wounded and taken to the rear insensible, but, when partially recovered, insisted on returning to the battery and resumed command of his piece, so remaining until the close of the battle.
990	Chiquito, Indian scout.	Apr. 12, 1875		Winter of 1872-73	Gallant conduct during the campaigns and engagements with Apaches.
1099	Chisman, William W., private, Company I, Eighty-third Indiana Infantry.	Aug. 15, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."

1762	Christianscy, James E., first lieutenant, Company D, Ninth Michigan Cavalry.	Oct. 10, 1862	Hawes Shops, Va.....	May 28, 1864.....	While acting as aid, voluntarily led a part of the line into the fight, and was twice wounded.
2600	Church, James Robb. (See addenda.)	Jan. 20, 1867	Nashville, Tenn.....	Dec. 15, 1864.....	When the fire of the enemy's batteries compelled the men of his detachment for a short time to seek shelter, he stood manfully at his post and for some minutes worked his gun alone.
1862	Churchill, Samuel J., corporal, Company G, Second Illinois Light Artillery.	Jan. 24, 1865	Chickamauga, Ga.....	Sept. 20, 1863.....	Seized the colors of a retreating regiment and led it into the thick of the attack.
133	Chute, Albion, private, Company H, Twenty-seventh Maine Infantry.	June 12, 1865	Vaughn Road, Va.....	Oct. 1, 1864.....	Shot the Confederate Gen. Dumovant dead during a charge, thus confusing the enemy and greatly aiding in his repulse.
1343	Cilley, Clinton A., captain, Company C, Second Minnesota Infantry.	July 3, 1865	Wounded Knee Creek, S. Dak.	Dec. 29, 1890.....	Twice voluntarily rescued wounded comrades under fire of the enemy.
1833	Clancy, James T., sergeant, Company C, First New Jersey Cavalry.	Jan. 23, 1862	Sailors Creek, Va.....	Apr. 6, 1865.....	Capture of battle flag of the Eighth Florida Infantry (C. S. A.).
2240	Clancy, John, musician, Company E, First U. S. Artillery.	Apr. 24, 1865	Brooks Ford, Va.....	May 4, 1863.....	Having voluntarily taken command of his regiment in the absence of its commander, at great personal risk and with remarkable presence of mind and fertility of resource, led the command down an exceedingly precipitous embankment to the Rappahannock River, and by his gallantry, coolness, and good judgment in the face of the enemy saved the command from capture or destruction.
1963	Clapp, Albert A., first sergeant, Company G, Second Ohio Cavalry.	May 13, 1866	Gettysburg, Pa.....	July 2, 1863.....	See note at end of table.
1435	Clark, Charles A., lieutenant and adjutant, Sixth Maine Infantry.	Jan. 24, 1865	Petersburg, Va.....	June 18, 1864.....	Seized the colors and advanced with them after the color bearer had been shot.
134	Clark, Elisha E., private, Company A, Twenty-seventh Maine Infantry.	June 11, 1865	Gettysburg, Pa.....	July 2, 1863.....	Distinguished bravery in action; was severely wounded.
1344	Clark, Harrison, corporal, Company E, One hundred and twenty-fifth New York Infantry.	Apr. 30, 1862	Gettysburg, Pa.....	July 2, 1863.....	See note at end of table.
1863	Clark, James G., private, Company F, Eighty-eighth Pennsylvania Infantry.	Jan. 24, 1865	Near Warrenton, Va.....	July 28, 1863.....	Defended the division train against a vastly superior force of the enemy; he was severely wounded, but remained in the saddle for 20 hours afterwards, until he had brought his train through in safety.
135	Clark, John E., private, Company H, Twenty-seventh Maine Infantry.	Aug. 17, 1861	Big Hole, Mont.	Aug. 9, 1877.....	Conspicuous gallantry; especial skill as sharpshooter.
1456	Clark, John W., first lieutenant and regimental quartermaster, Sixth Vermont Infantry.	Feb. 28, 1878	Camas Meadows, Idaho.	Aug. 20, 1877.....	Was one of a detachment of 16 men who heroically defended a wagon train against the attack of 125 cavalry, repulsed the attack, and saved the train.
2241	Clark, Wilfred, private, Company L, Second U. S. Cavalry.	Sept. 11, 1867	Nolensville, Tenn.....	Feb. 15, 1863.....	Distinguished conduct in a desperate hand-to-hand fight while commanding the regiment.
1458	Clark, William A., corporal, Company H, Second Minnesota Infantry.	June 30, 1862	Spotsylvania, Va.....	May 12, 1864.....	Rushed forward to the rescue of a soldier who was severely wounded and lay disabled, exposed to the enemy's fire, and carried him to a place of safety.
1864	Clarke, Dayton P., captain Company F, Second Vermont Infantry.	Mar. 12, 1861	Pinito Mountains, Sonora, Mexico.	May 3, 1886.....	See note at end of table.
2242	Clarke Powhatan H., second lieutenant, Tenth U. S. Cavalry.	Jan. 24, 1865			
136	Clarvage, Samuel J. C., private, Company F, Twenty-seventh Maine Infantry.				

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1703	Clausen, Charles H., first lieutenant Company H, Sixty-first Pennsylvania Infantry.	June 25, 1892	Spottsylvania, Va.	May 12, 1864.	Although severely wounded, held the regiment against the enemy, under a terrific fire, and saved a battery from capture.
1308	Chey, Cecil, captain Company K, Fifty-eighth Pennsylvania Infantry.	Apr. 19, 1892	Fort Harrison, Va.	Sept. 20, 1864.	Led his regiment in the charge, carrying the colors of another regiment, and when severely wounded in the right arm, incurring loss of same, he shifted the colors to the left hand, which also became disabled by a gunshot wound. See note at end of table.
137	Clemens, Henry, private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
138	Clemens, James H., private, Company D, Twenty-seventh Maine Infantry.	do.			Do.
1220	Cleveland, Charles F., private, Company C, Twenty-sixth New York Infantry.	June 12, 1865	Anleram, Md.	Sept. 17, 1862.	Voluntarily took and carried the colors into action after the color bearer had been shot.
1419	Clopp, John E., private, Company F, Seventy-first Pennsylvania Infantry.	Feb. 2, 1865	Gettysburg, Pa.	July 3, 1863.	Capture of flag of 11th Virginia Infantry (C. S. A.), wresting it from the color bearer. See note at end of table.
139	Clough, Charles, private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
140	Clough, Charles H., private, Company F, Twenty-seventh Maine Infantry.	do.			Do.
141	Clough, George W., private, Company F, Twenty-seventh Maine Infantry.	do.			Do.
142	Clough, Levi, wagoner, Company C, Twenty-seventh Maine Infantry.	do.			Do.
143	Cluf, George W., private, Company I, Twenty-seventh Maine Infantry.	do.			Do.
144	Cluf, Samuel, private, Company A, Twenty-seventh Maine Infantry.	do.			Do.
1809	Clute, George W., corporal, Company I, Fourteenth Michigan Infantry.	Aug. 26, 1898	Bentonville, Ark.	Mar. 19, 1865.	In a charge, captured the flag of the Fortieth North Carolina (C. S. A.), the flag being taken in a personal encounter with an officer who carried and defended it.
1310	Coates, Jefferon, sergeant, Company H, Seventh Wisconsin Infantry.	June 20, 1866	Gettysburg, Pa.	July 1, 1863.	Unsurpassed courage in battle, where he had both eyes shot out. See note at end of table.
145	Cobb, Charles, private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
146	Cochran, Adam, private, Company D, Twenty-seventh Maine Infantry.	do.			Do.
1824	Cockley, David L., first lieutenant Company L, Tenth Ohio Cavalry.	Aug. 2, 1897	Waynesboro, Va.	Dec. 4, 1864.	While acting as aid-de-camp to a general officer, he three times asked permission to join his regiment in a proposed charge upon the enemy, and, in response to the last request, having obtained such permission, joined his regiment and fought bravely at its head throughout the action.

976	Cody, William F., guide.	May 22, 1872	Platte River, Mo.	Gallantry in action.
1028	Coe, James, major, One hundred and forty-seventh New York Infantry.	May 12, 1892	Hatchers Run, Va.	Seized the regimental colors at a critical moment and, by a prompt advance on the enemy, caused the entire brigade to follow him; and, after being himself severely wounded, he caused himself to be lifted into the saddle and a second time rallied the line in an attempt to check the enemy.
1511	Colby, Robert J., sergeant, Company K, Fourth Vermont Infantry.	May 13, 1892	Banks, For-1, Va.	Single handed captured 2 officers and 5 privates of the Eighth Louisiana Regiment (C. S. A.). See note at end of table.
1517	Colby, Charles N., corporal, Company G, Ninety-seventh Illinois Infantry.	Jan. 24, 1865	Wilderness, Va.	Rallied and formed under heavy fire, disorganized and fleeing troops of different regiments.
1518	Cole, Al S., wagoner, Company G, Twenty-seventh Maine Infantry.	Aug. 24, 1865	The Mine, Va.	Traveled and coolly carried orders to the advanced line under severe fire.
1519	Cole, Charles F., private, Company H, Twenty-seventh Maine Infantry.	Jan. 31, 1896	Vicksburg, Miss.	Was a member of a volunteer storming party which made a most gallant assault upon the enemy's works.
1623	Cole, Gabriel, corporal, Company I, Fifth Michigan Cavalry.	Jan. 24, 1865	Winchester, Va.	See note at end of table.
1550	Cole, George C., private, Company E, Twenty-seventh Maine Infantry.	Sept. 27, 1864	Winchester, Va.	Capture of flag.
1551	Cole, John G., corporal, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.	See note at end of table.
1552	Cole, John W., private, Company F, Twenty-seventh Maine Infantry.	do.	do.	Do.
1553	Cole, Robert, private, Company F, Twenty-seventh Maine Infantry.	do.	do.	Do.
1624	Collins, Harrison, corporal, Company A, First Tennessee Cavalry.	Feb. 24, 1865	Richland Creek, Tenn.	Capture of flag of Chalmers's Division (C. S. A.).
909	Collins, James, first sergeant, Company D, Tenth V. R. C.	May 20, 1865	do.	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill. (captured a regimental flag of the enemy).
1625	Collins, Thomas D., sergeant, Company H, One hundred and forty-third New York Infantry.	Aug. 24, 1896	Resaca, Ga.	Do.
1221	Collis, Charles H. T., colonel, One hundred and fourteenth Pennsylvania Infantry.	Mar. 10, 1893	Fredericksburg, Va.	Gallantry led his regiment in battle at a critical moment.
1626	Colwell, Oliver, first lieutenant, Company G, Ninety-fifth Ohio Infantry.	Feb. 24, 1865	Nashville, Tenn.	Capture of flag.
1064	Combs, John W., private, Company A, Fourth U. S. Cavalry.	Oct. 13, 1875	Staked Plain, Tex.	Ran down and killed an Indian, etc.
1970	Camps, Hartwell B., major, Eighth New York Cavalry.	Mar. 26, 1865	Waynesboro, Va.	Capture of flag belonging to Gen. Early's headquarters.
2497	Compton, James M., private, Company D, Ninety-first Ohio Infantry.	Nov. 1, 1864	Shenandoah Valley campaign.	Capture of flag.
1090	Conaway, John W., private, Company C, Eighty-third Indiana Infantry.	Aug. 11, 1894	Vicksburg, Miss.	Gallantry in the charge of the "volunteer storming party."

Medals of honor issued by the War Department up to and including Sept. 1, 1904 (Continued).

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1222	Conboy, Martin, sergeant, Company B, Thirty-seventh New York Infantry.	Oct. 11, 1862	Williamsburg, Va.	May 5, 1862	Took command of the company in action, the captain having been wounded, the other commissioned officers being absent, and handled it with skill and bravery. While in command of a detachment of 4 men, charged and routed 40 entrenched insurgents, inflicting on them heavy loss. Recapture of Gen. Crook's headquarters flag. Capture of flag.
2332	Condon, Clarence M., sergeant, Battery G, Third U. S. Artillery.	Mar. 11, 1902	Near Calhoun, Luzon, P. I.	Nov. 5, 1899	
1924	Condon, James, sergeant, Company E, Eighth New York Cavalry.	Mar. 26, 1865	Waynesboro, Va.	Mar. 2, 1865	
1971	Connell, Trustrim, corporal, Company I, One hundred and thirty-eighth Pennsylvania Infantry.	May 10, 1865	Sailors Creek, Va.	Apr. 6, 1865	
154	Conner, John, private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
1223	Conner, Richard, private, Company F, Sixth New Jersey Infantry.	Sept. 17, 1867	Bull Run, Va.	Aug. 30, 1862	See note at end of table.
2243	Connor, John, corporal, Company H, Sixth U. S. Cavalry.	Aug. 25, 1870	Wichita River, Tex.	July 12, 1870	The flag of his regiment having been abandoned during retreat, he voluntarily returned with a single companion under a heavy fire and secured and brought off the flag, his companion being killed. Gallantry in action.
1627	Connors, James, private, Company E, Forty-third New York Infantry.	Oct. 6, 1864	Fishers Hill, Va.	Sept. 22, 1864	Capture of flag.
155	Cook, Charles R., sergeant, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1224	Cook, John, bugler, Battery B, Fourth U. S. Artillery.	June 30, 1864	Antietam, Md.	Sept. 17, 1862	Volunteered at the age of 15 years to act as a cannoneer, and as such performed served a gun under a terrific fire of the enemy. During an attack by the enemy, voluntarily left the brigade quartermaster, with whom he had been detailed as a clerk, rejoined his command, and, acting as first lieutenant, led the line farther toward the charging enemy.
1764	Cook, John H., sergeant, Company A, One hundred and nineteenth Illinois Infantry.	Sept. 19, 1860	Pleasant Hill, La.	Apr. 9, 1864	Voluntarily served as an aid on the staff of Col. David Hunter and participated in the battle, his term of service having expired on the previous day. Gallantry in actions.
957	Cooke, Walter H., captain, Company K, Fourth Pennsylvania Infantry Militia.	May 19, 1867	Bull Run, Va.	July 21, 1861	See note at end of table.
2244	Coorod, Aquilla, sergeant, Company C, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, et., Mont.	October, 1876, to January, 1877.	Seized the regimental colors, the color bearer having been shot down, and, waving them, rallied the regiment under a heavy fire.
156	Cooper, Benjamin F., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Was one of a detachment of 20 picked artillerymen who voluntarily accompanied an infantry assaulting party, and who turned upon the enemy the guns captured in the assault.
1225	Copp, Charles D., second lieutenant, Company C, Ninth New Hampshire Infantry.	June 28, 1860	Fredericksburg, Va.	Dec. 13, 1862	Gallantry in action.
2143	Corcoran, John, private, Company G, First Rhode Island Light Artillery.	Nov. 2, 1867	Petersburg, Va.	Apr. 2, 1865	
2245	Corcoran, Michael, corporal, Company E, Eighth U. S. Cavalry.	Mar. 3, 1870	Agua Fria River, Ariz.	Aug. 25, 1869	

1226	Curless, George W., captain Company C, Fifth Connecticut Infantry.	Sept. 10, 1897	Cedar Mountain, Va.	Aug. 9, 1892	Seized a fallen flag of the regiment, the color bearer having been killed, carried it forward in the face of a severe fire, and, though himself shot down and permanently disabled, planted the staff in the earth and kept the flag flying.
1942	Corless, Stephen P., first lieutenant, Company F, Fourth New York Heavy Artillery.	Jan. 17, 1895	South Side Railroad, Va.	Apr. 2, 1865	Raised the fallen colors, and, rushing forward in advance of the troops, placed them on the enemy's works.
910	Cornwell, Addison, first sergeant, Company I, Seventh V. R. C.	May 20, 1865		April, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill. See note at end of table.
157	Corson, George M., private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865			With one companion returned in the face of the enemy's heavy artillery fire and removed to a place of safety a severely wounded soldier who had been left behind as the regiment fell back.
1546	Carson, Joseph K., assistant surgeon, Sixth Pennsylvania Reserves (Thirty-fifth Pennsylvania Volunteers).	May 13, 1899	Near Bristol Station, Va.	Oct. 14, 1893	Ran out from the command in pursuit of a dismounted Indian, was shot down and badly wounded by a bullet from his own command.
993	Co-rux-te-chod-ish (Mad Bear), sergeant, Pawnee Scouts, U. S. A.	Aug. 24, 1899	Republican River, Kans.	July 8, 1899	Capture of flag in a personal encounter with its bearer.
1010	Cosgrove, Thomas, (See Addenda.)				See note at end of table.
1972	Cosgriff, Richard H., private, Company L, Fourth Iowa Cavalry.	June 17, 1865	Columbus, Ga.	Apr. 16, 1865	Do.
158	Cottle, Oliver, private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
159	Cotton, Charles, private, Company D, Twenty-seventh Maine Infantry.	do.			Do.
1765	Coughlin, John, lieutenant colonel, Tenth New Hampshire Infantry.	Aug. 31, 1893	Swifts Creek, Va.	May 9, 1904	During a sudden night attack upon Burnham's brigade, resulting in much confusion, this officer, without waiting for orders, led his regiment forward and interposed a line of battle between the advancing enemy and Hunt's battery, repulsing the attack and saving the guns. See note at end of table.
160	Cousens, William G., private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
161	Cousins, Francis J., private, Company A, Twenty-seventh Maine Infantry.	do.			Do.
162	Cousins, William A., private, Company H, Twenty-seventh Maine Infantry.	do.			Do.
1091	Cox, Robert M., corporal, Company K, Fifty-fifth Illinois Infantry.	Dec. 31, 1892	Vicksburg, Miss.	May 22, 1863	Bravely defended the colors planted on the outward parapet of Fort Hill.
1227	Coyne, John N., sergeant, Company B, Seventieth New York Infantry.	Apr. 18, 1898	Williamsburg, Va.	May 5, 1862	Capture of a flag after a severe hand to hand contest; was mentioned in orders for his gallantry.
2246	Craig, Samuel H., sergeant, Company D, Fourth U. S. Cavalry.	Apr. 27, 1897	Santa Cruz Mountains, Mexico.	May 15, 1896	Conspicuous gallantry during an attack on a hostile Apache Indian camp; seriously wounded. See note at end of table.
163	Cran, Patrick, private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1512	Cranston, William W., private, Company A, Sixty-sixth Ohio Infantry.	Dec. 15, 1892	Chancellorsville, Va.	May 2, 1863	One of a party of four who voluntarily brought in a wounded Confederate officer from within the enemy's lines, in the face of a constant fire. See note at end of table.
164	Creanor, George G., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1628	Creed, John, private, Company D, Twenty-third Illinois Infantry.	Oct. 6, 1894	Fishers Hill, Va.	Sept. 27, 1864	Capture of flag.
165	Cressey, Horace, private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
166	Cribby, George, private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2247	Crist, John, sergeant, Company L, Eighth U. S. Cavalry.	Mar. 3, 1870	Arizona.....	Nov. 26, 1869	Gallantry in action.
2248	Crisswell, Benjamin C., sergeant, Company B, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn River, Mont.	June 25, 1876	Rescued the body of Lieut. Hodgeson from within the enemy's lines; brought up ammunition and encouraged the men in the most exposed positions under heavy fire.
1768	Crocker, Henry H., captain, Company F, Second Massachusetts Cavalry.	Jan. 10, 1866	Cedar Creek, Va.....	Oct. 19, 1864	Voluntarily led a charge which resulted in the capture of 14 prisoners and in which he himself was wounded.
1629	Crocker, Urie L., private, Company M, Sixth Michigan Cavalry.	Oct. 26, 1864	do.....	do.....	Capture of flag of Eighteenth Georgia (C. S. A.).
1865	Croft, James E., private, Twelfth Battery, Wisconsin Light Artillery.	Mar. 20, 1867	Allatoona, Ga.....	Oct. 5, 1864	Took the place of a gunner who had been shot down, and inspired his comrades by his bravery and effective gunnery, which contributed largely to the defeat of the enemy.
1589	Crosier, William H. H., sergeant, Company G, One hundred and forty-ninth New York Infantry.	Jan. 12, 1862	Peach Tree Creek, Ga.	July 20, 1904	Severely wounded and ambushed by the enemy, he stripped the colors from the staff and brought them back into line.
167	Cross, Charles M., assistant surgeon, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1044	Cross, James E., corporal, Company K, Twelfth New York Infantry.	Apr. 5, 1868	Blackburns Ford, Va.	July 18, 1861	With a companion, refused to retreat when the part of the regiment to which he was attached was driven back in disorder, but remained upon the skirmish line for some time thereafter, firing upon the enemy.
1973	Crowley, Michael, private, Company A, Twenty-second New York Cavalry.	Mar. 26, 1865	Waynesboro, Va.....	Mar. 2, 1865	Capture of flag.
870	Crumdie, Charles, private, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona.....	August to October, 1868	Bravery in scouts and actions with Indians.
2249	Cruise, Thomas, second lieutenant, Sixth U. S. Cavalry.	July 12, 1862	Big Dry Fork, Ariz.....	July 17, 1862	Gallantly charged hostile Indians, and with his carbine compelled a party of them to keep under cover of their breastworks, thus being enabled to recover a severely wounded soldier.
2250	Cubberley, William G., private, Company L, Eighth U. S. Cavalry.	July 28, 1868	San Carlos, Ariz.....	May 30, 1868	Gallantry in action.
1351	Cullen, Thomas, corporal, Company I, Eight-second New York Infantry.	Dec. 1, 1864	Bristol Station, Va.....	Oct. 14, 1863	Capture of flag of Twenty-second or Twenty-eighth North Carolina (C. S. A.).
1647	Cummings, Amos J., sergeant major, Twenty-sixth New Jersey Infantry.	Mar. 28, 1864	Salem Heights, Va.....	May 4, 1863	Rendered great assistance in the heat of the action in rescuing a part of one of the field batteries from an extremely dangerous and exposed position.
2601	Cummins, Andrew J., sergeant, Company F, Tenth U. S. Infantry.	June 22, 1860	Santiago, Cuba.....	July 1, 1898	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy.
2251	Cunningham, Charles, corporal, Company B, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn River, Mont.	June 25, 1876	Declined to leave the line when wounded in the neck during heavy fire, and fought bravely all next day.

1974	Cunningham, Francis M., first sergeant, Company H, First West Virginia Cavalry.	May 3, 1865	Salvors Creek, Va.	Apr. 6, 1865	Capture of battle flag of Twelfth Virginia Infantry (C. S. A.).
1092	Cunningham, James S., private, Company D, Eighth Missouri Infantry.	July 30, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
1228	Curran, Richard, assistant surgeon, Thirty-third New York Infantry.	Mar. 30, 1868	Anfietam, Md.	Sept. 17, 1862	Voluntarily exposed himself to great danger by going to the fighting line, there supporting the wounded and helpless and conducting them to the field hospital.
168	Currier, George E., private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1229	Curtis, John C., sergeant major, Ninth Connecticut Infantry.	Dec. 16, 1866	Baton Rouge, La.	Aug. 5, 1862	Voluntarily sought the line of battle, and alone and unaided captured 2 prisoners, driving them before him to regimental headquarters at the point of the bayonet.
1925	Curtis, Josiah M., second lieutenant, Company I, Twelfth West Virginia Infantry.	May 12, 1865	Petersburg, Va.	Apr. 2, 1865	Seized the colors of his regiment after 2 color bearers had fallen, bore them gallantly, and was among the first to gain a foothold, with his flag, inside the enemy's works.
2170	Curtis, N. Martin, brigadier general, U. S. Volunteers.	Nov. 28, 1891	Fort Fisher, N. C.	Jan. 15, 1865	The first man to pass through the straddle; he personally led each assault on the traverses, and was 4 times wounded.
1975	Cutler, Thomas W., second lieutenant, Company B, Sixth Michigan Cavalry.	May 3, 1865	Namozine Church, Va.	Apr. 2, 1865	Capture of flag.
2498	do	May 26, 1865	Salvors Creek, Va.	Apr. 6, 1865	Leaped his horse over the enemy's works and captured 2 stands of colors, having his horse shot under him and receiving a severe wound.
1436	Cutcheon, Byron M., major, Twentieth Michigan Infantry.	June 29, 1891	Horseshoe Bend, Ky.	May 10, 1863	Distinguished gallantry in leading his regiment in a charge on a house occupied by the enemy.
1866	Cutts, James M., captain, Eleventh U. S. Infantry.	May 2, 1891	Wilderness, Spotsylvania, Va.	1864	Gallantry in actions.
871	Daily, Charles, private, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona.	Aug. to Oct., 1868	Bravery in scouts and actions with Indians.
911	Daly, William F., first sergeant, Company A, Tenth V. R. C.	May 9, 1865		April, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
2252	Daniels, James T., sergeant, Company L, Fourth U. S. Cavalry.	May 15, 1890	Arizona.	Mar. 7, 1890	Untiring energy and cool gallantry under fire in an engagement with Apache Indians.
1711	Darrrough, John S., sergeant, Company F, One hundred and thirtieth Illinois Infantry.	Feb. 5, 1895	Eastport, Miss.	Oct. 10, 1864	Saved the life of a captain.
1976	Davidisier, John A., sergeant, Company A, First Pennsylvania Cavalry.	May 3, 1865	Paines Cross Roads, Va.	Apr. 5, 1865	Capture of flag.
1470	Davidson, Andrew, first lieutenant, Company H, Thirtieth U. S. C. T.	Oct. 17, 1892	The Mine, Petersburg, Va.	July 30, 1864	One of the first to enter the enemy's works, where, after his colonel, major, and one-third the company officers had fallen, he gallantly assisted in rallying and saving the remnant of the command.
1008	Davidson, Andrew, assistant surgeon, Forty-seventh Ohio Infantry.	Feb. 5, 1895	Vicksburg, Miss.	May 3, 1863	Voluntarily attempted to run the enemy's batteries.
169	Davis, Albert H., corporal, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
170	Davis, Charles, corporal, Company H, Twenty-seventh Maine Infantry.	do			Do.
171	Davis, Charles A., wagoner, Company E, Twenty-seventh Maine Infantry.	do			Do.
1437	Davis, Charles C., major, Seventh Pennsylvania Cavalry.	June 14, 1894	Shelbyville, Tenn.	June 27, 1863	Led one of the most desperate and successful charges of the war.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
172	Davis, Charles I., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
2533	Davis, Charles P. (See addenda.)	do.			
173	Davis, Frank M., corporal, Company D, Twenty-seventh Maine Infantry.	Mar. 30, 1868	Missionary Ridge, Tenn.	Nov. 25, 1863.	
1345	Davis, Freeman, sergeant, Company B, Eightieth Ohio Infantry.	May 27, 1862	Monocacy, Md.	July 9, 1864.	Do.
1867	Davis, George E., first lieutenant, Company D, Tenth Vermont Infantry.	Dec. 2, 1864	Atlanta, Ga.	July 28, 1864.	This soldier, while his regiment was falling back, seeing the 2 color-bearers shot down, under a severe fire and at imminent peril re-covered both the flags and saved them from capture.
1630	Davis, Harry, private, Company G, Forty-sixth Ohio Infantry.	June 17, 1865	Culloden, Ga.	April, 1865.	While in command of a small force, held the approaches to the 2 bridges against repeated assaults of superior numbers, thereby materially delaying Early's advance on Washington.
1977	Davis, John, private, Company F, Seventeenth Indiana Mounted Infantry.	Feb. 4, 1865	Franklin, Tenn.	Nov. 30, 1864.	Capture of flag of Thirtieth Louisiana Infantry (C. S. A.).
1631	Davis, Joseph, corporal, Company C, One-hundred and fourth Ohio Infantry.	July 26, 1864	Vicksburg, Miss.	May 22, 1863.	Capture of flag of Worrill Grays (C. S. A.).
1083	Davis, Martin K., sergeant, Company H, One-hundred and sixteenth Illinois Infantry.	May 3, 1865	Sailors, Creek, Va.	Apr. 6, 1865.	Capture of flag.
1978	Davis, Thomas, private, Company C, Second New York Heavy Artillery.	Jan. 24, 1865	Sappa Creek, Kans.	Apr. 23, 1875.	See note at end of table.
174	Davis, William G., private, Company A, Twenty-seventh Maine Infantry.	Nov. 16, 1876	Hatchers Run, Va.	Feb. 6, 1865.	Gallantry in action.
2157	Dawson, Michael, trumpeter, Company H, Sixth U. S. Cavalry.	Jan. 24, 1865	Vicksburg, Miss.	May 22, 1863.	See note at end of table.
175	Day, Benjamin N., private, Company E, Twenty-seventh Maine Infantry.	July 20, 1867	Las Animas Canyon, N. Mex.	Sept. 18, 1879.	Seized the colors of another regiment of the brigade, the regiment having been thrown into confusion and the color bearer killed, and bore said colors throughout the remainder of the engagement. Gallantry in the charge of the "volunteer storming party."
1926	Day, Charles, private, Company K, Two-hundred and tenth Pennsylvania Infantry.	Jan. 2, 1865			Advanced alone into the enemy's lines and carried off a wounded soldier of his command, under a hot fire, and after he had been ordered to retreat.
1094	Day, David F., private, Company D, Fifty-seventh Ohio Infantry.	May 7, 1860			See note at end of table.
2253	Day, Matthias W., first lieutenant and regimental quartermaster, Ninth U. S. Cavalry.	Jan. 24, 1865			
176	Day, Silas, private, Company H, Twenty-seventh Maine Infantry.				

177	Day, Thurston P. M., private, Company H, Twenty-seventh Maine Infantry.	do.			Do.	
1017	Day, William L., first sergeant, Company E, Fifth U. S. Cavalry.	Apr. 12, 1875		1872-73.	Gallantry during the different campaigns and fights with Apaches.	
178	Daymon, George W., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.	
2153	Deane, John M., major, Twenty-ninth Massachusetts Infantry.	Mar. 8, 1865	Fort Stedman, Va.	Mar. 25, 1865.	This officer, observing an abandoned gun within Fort Haskell, called for volunteers, and, under a heavy fire, worked the gun until the enemy's advancing line was routed.	
179	Dearborn, Charles, private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.	
180	Dearborn, Paul C., private, Company C, Twenty-seventh Maine Infantry.	do.			Do.	
181	Dearborn, Richard, private, Company A, Twenty-seventh Maine Infantry.	do.			Do.	
2201	De Armond, William, sergeant, Company I, Fifth U. S. Infantry.	Apr. 23, 1875	Upper Washita, Tex.	Sept. 9-11, 1874.	Gallantry in action.	
1038	Deary, George, sergeant, Company L, Fifth U. S. Cavalry.	Apr. 12, 1875	Apache Creek, Ariz.	Apr. 2, 1874.	Do.	
1352	De Castro, Joseph H., corporal, Company I, Nineteenth Massachusetts Infantry.	Dec. 1, 1864	Gettysburg, Pa.	July 3, 1863.	Capture of flag of Nineteenth Virginia (C. S. A.).	
182	Decoff, Charles, private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.	
2254	Decline, Frederick, private, Company D, Seventh U. S. Cavalry.	Oct. 15, 1878	Little Big Horn, Mont.	June 25, 1876.	Voluntarily brought water to the wounded under fire.	
1835	De Lacey, Patrick, first sergeant, Company A, One hundred and forty-third Pennsylvania Infantry.	Apr. 24, 1864	Wilderness, Va.	May 6, 1864.	Running ahead of the line, under a concentrated fire, he shot the color bearer of a Confederate regiment on the works, thus contributing to the success of the attack.	
1471	Deland, Frederick N., private, Company B, Forty-ninth Massachusetts Infantry.	June 22, 1866	Port Hudson, La.	May 27, 1863.	Volunteered in response to a call, and, under a heavy fire from the enemy, advanced and assisted in filling with fascines a ditch which presented a serious obstacle to the troops attempting to take the works of the enemy by assault.	
2182	Delaney, John C., sergeant, Company I, One hundred and seventh Pennsylvania Infantry.	Aug. 26, 1864	Dabneys Mills, Va.	Feb. 6, 1865.	Sprang between the lines and brought out a wounded comrade about to be burned in the brush.	
1979	Delavie, Hiram A., sergeant, Company I, Eleventh Pennsylvania Infantry.	May 10, 1865	Five Forks, Va.	Apr. 1, 1865.	Capture of flag.	
183	Dennett, Alvan A., corporal, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.	
184	Dennett, Reuben, private, Company B, Twenty-seventh Maine Infantry.	do.			Do.	
2255	Denny, John, sergeant, Troop B, Ninth U. S. Cavalry.	Nov. 27, 1894	Las Animas Canyon, N. Mex.	Sept. 18, 1879.	Removed a wounded comrade, under a heavy fire, to a place of safety.	
1186	De Puy, Charles H., first sergeant, Company H, First Michigan Sharpshooters.	July 30, 1866	Petersburg, Va.	July 30, 1864.	Being an old artilleryman, aided Gen. Bartlett in working the guns of the dismantled fort.	
185	Deshon, Elijah B., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.	
2602	De Swan, John F., private, Company H, Seventh U. S. Infantry.	June 22, 1899	Santiago, Cuba.	July 1, 1898.	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy.	

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1065	De Witt, Richard W., corporal, Company D, Forty-seventh Ohio Infantry.	Aug. 10, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
1438	Di Cesnola, Louis P., colonel Fourth New York Cavalry.	Dec. 17, 1867	Aldie, Va.	June 17, 1863	Was present, in arrest, when, seeing his regiment fall back, he rallied his men, accompanied them, without arms, in a second charge, and in recognition of his gallantry was released from arrest. He continued in the action at the head of his regiment until he was desperately wounded and taken prisoner. Gallantry in action.
2256	Dickens, Charles H., corporal, Company G, Eighth U. S. Cavalry.	Feb. 14, 1870	Chiricahua Mountains, Ariz.	Oct. 20, 1869	Refused to leave the field, remaining in command, after being wounded by a piece of shell, and led his command in the assault on the enemy's works on the following day.
1767	Dickey, William D., captain Battery M, Fifteenth New York Heavy Artillery.	June 10, 1866	Petersburg, Va.	June 17, 1864	Was a member of a volunteer storming party which made a most gallant assault upon the enemy's works.
1158	Dickie, David, sergeant, Company A, Ninety-seventh Illinois Infantry.	Jan. 29, 1866	Vicksburg, Miss.	May 22, 1863	Fought his guns until the enemy were upon him; then with one gun hauled in the roadway hand he formed the rear guard and kept the enemy at bay by the rapidity of his fire, and was the last man in the retreat.
1513	Diler, Hubert, captain Battery I, First Ohio Light Artillery.	Aug. 17, 1863	Chancellorsville, Va.	May 2, 1863	See note at end of table.
1468	Dillingham, John L., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1250	Dillon, Michael A., private, Company G, Second New Hampshire Infantry.	Oct. 10, 1869	Williamsburg, Va.	May 5, 1862	Bravery in repulsing the enemy's charge on a battery.
187	Dixon, Edmund A., captain Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Oak Grove, Va.	June 25, 1862	Crawled outside of the lines and brought in important information. See note at end of table.
188	Dixon, Joseph H., private, Company G, Twenty-seventh Maine Infantry.	do.			Do.
999	Dixon, William, scout.	Nov. 4, 1874			Gallantry in action.
189	Dockham, George A., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Wichita River, Tex.	Sept. 12, 1874	See note at end of table.
1980	Dockum, Warren C., private, Company H, One hundred and twenty-first New York Infantry.	May 10, 1865	Sailors Creek, Va.	Apr. 6, 1865	Capture of flag of Savannah Guards (U. S. A.), after two other men had been killed in the effort.
1187	Dodd, Robert F., private, Company E, Twenty-seventh Michigan Infantry.	July 27, 1866	Petersburg, Va.	July 30, 1864	While acting as orderly, voluntarily assisted to carry off the wounded from the ground in front of the Crater while exposed to a heavy fire.
1712	Dodds, Edward E., sergeant, Company C, Twenty-first New York Cavalry.	June 11, 1866	Ashlys Gap, Va.	July 19, 1864	At great personal risk, rescued his wounded captain and carried him from the field to a place of safety.

2257	Dodge, Francis S., captain, Ninth U. S. Cavalry.	Apr. 2, 1898	Near White River Agency, Colo.	Sept. 29, 1879	With a force of 40 men, rode all night to the relief of a command that had been defeated and was besieged by an overwhelming force of Indians, reached the field at daylight, joined in the action, and fought for 3 days. See note at end of table.
190	Doe, Joseph D., sergeant, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Capture of flag.
1961	Doerle, August, private, Company B, First Louisiana Cavalry.	July 9, 1867	Mount Pleasant, Ala.	Apr. 11, 1865	
2003	Doherty, Thomas M., corporal, Company H, Twenty-first U. S. Infantry.	June 22, 1899	Santiago, Cuba.	July 1, 1898	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy. See note at end of table.
191	Doies, Thomas, private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Capture of flag.
1962	Dolhoff, Charles W., corporal, Company K, First Vermont Heavy Artillery.	Apr. 24, 1865	Petersburg, Va.	Apr. 2, 1865	
2258	Donahue, John L., private, Company G, Eighth U. S. Cavalry.	Feb. 14, 1870	Charlestown Mountains, Ariz.	Oct. 20, 1869	Gallantry in action.
1963	Donaldson, John, sergeant, Company L, Fourth Pennsylvania Cavalry.	May 3, 1865	Appomattox Court House, Va.	Apr. 9, 1865	Capture of flag of Fourteenth Virginia Cavalry (C. S. A.)
2259	Donavan, Cornelius, sergeant, Company E, Eighth U. S. Cavalry.	Mar. 3, 1870	Agua Fria River, Ariz.	Aug. 25, 1869	Gallantry in action.
2260	Donnelly, John S., private, Company G, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	October, 1876, to Jan. 8, 1877	Do.
1231	Donohoe, Timothy, private, Company B, Sixty-ninth New York Infantry.	Jan. 17, 1894	Fredericksburg, Va.	Dec. 13, 1862	Voluntarily carried a wounded officer off the field from between the lines; while doing this he was himself wounded.
1866	Doody, Patrick, corporal, Company F, One hundred and sixty-fourth New York Infantry.	Dec. 13, 1863	Cold Harbor, Va.	June 7, 1861	After making a successful personal reconnaissance, he gallantly led the skirmishers in a night attack, charging the enemy, and thus enabling the pioneers to put up works.
1333	Dore, George H., sergeant, Company D, One hundred and twenty-sixth New York Infantry.	Dec. 1, 1861	Gettysburg, Pa.	July 3, 1863	The colors being struck down by a shell as the enemy were charging, this soldier rushed out and seized it, exposing himself to the fire of both sides. See note at end of table.
192	Dorman, George H., corporal, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
935	Dorsey, Daniel A., corporal, Company H, Thirty-third Ohio Infantry.	Sept. 17, 1863	Georgia.	April, 1862	One of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell) penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta.
1500	Dorsey, Decatur, sergeant, Company B, Thirty-ninth U. S. C. T.	Nov. 8, 1865	Petersburg, Va.	July 30, 1864	Planted his colors on the Confederate works in advance of his regiment, and when the regiment was driven back to the Union works he carried the colors there and bravely rallied the men.
1927	Dougall, Allan H., first lieutenant and adjutant, Eighty-eighth Indiana Infantry.	Feb. 16, 1897	Bentonville, N. C.	Mar. 19, 1865	In the face of a galling fire from the enemy, he voluntarily returned to where the color bearer had fallen wounded, and saved the flag of his regiment from capture.
1314	Dougherty, Michael, private, Company B, Thirtieth Pennsylvania Cavalry.	Jan. 23, 1897	Jefferson, Va.	Oct. 12, 1863	At the head of a detachment of his company, dashed across an open field, exposed to a deadly fire from the enemy, and succeeded in dislodging them from an unoccupied house, which he and his comrades defended for several hours against repeated attacks, thus preventing the enemy from flanking the position of the Union forces.
872	Dougherty, William, blacksmith, Company B, Eighth U. S. Cavalry.	July 24, 1899	Arizona.	August 1868	Bravery in scouts and actions with Indians.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
193	Doun, Reuben, private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1988	Dow, George P., sergeant, Company C, Seventh New Hampshire Infantry.	May 10, 1864	Near Richmond, Va.	October, 1864.	Gallantry while in command of his company during a reconnaissance toward Richmond.
194	Dow, Simon B., corporal, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
873	Dowling, James, corporal, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona.	August to October, 1868.	Bravery in scouts and actions with Indians.
1713	Downey, William, private, Company B, Fourth Massachusetts Cavalry.	Jan. 21, 1867	Ashepool River, S. C.	May 24, 1864.	Volunteered as a member of a boat crew which went to the rescue of a large number of Union soldiers on board the stranded steamer Boston, and with great gallantry assisted in conveying them to shore, being exposed during the entire time to a heavy fire from a Confederate battery.
195	Downs, Archibald S., private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
196	Downs, David, Jr., private, Company I, Twenty-seventh Maine Infantry.	do.			Do.
1787	Downs, Henry W., sergeant, Company I, Eighth Vermont Infantry.	Dec. 13, 1863	Winchester, Va.	Sept. 19, 1864.	With one comrade voluntarily crossed an open field, exposed to a raking fire, and returned with a supply of ammunition, successfully repeating the attempt a short time thereafter.
995	Dozier, —, citizen guide.	Nov. 19, 1870	Wichita River, Tex.	Oct. 5, 1870.	Gallantry in action and on the march.
1014	Drake, James M., second lieutenant, Company D, Ninth New Jersey Infantry.	Mar. 3, 1873	Bermuda Hundred, Va.	May 6, 1864.	Commanded the skirmish line in the advance and held his position all day and during the night.
197	Drew, John, private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
198	Brown, Alonzo J., private, Company I, Twenty-seventh Maine Infantry.	do.			Do.
199	Brown, Orlando, private, Company I, Twenty-seventh Maine Infantry.	do.			Do.
1591	Drury, James, sergeant, Company C, Fourth Vermont Infantry.	Jan. 18, 1863	Weldon Railroad, Va.	June 23, 1864.	Saved the colors of his regiment when it was surrounded by a much larger force of the enemy, and after the greater part of the regiment had been killed or captured.
1714	Duffey, John, private, Company B, Fourth Massachusetts Cavalry.	Jan. 21, 1867	Ashepool River, S. C.	May 24, 1864.	Volunteered as a member of a boat crew which went to the rescue of a large number of Union soldiers on board the stranded steamer Boston, and with great gallantry assisted in conveying them to shore, being exposed during the entire time to a heavy fire from a Confederate battery.
1870	Dunlavy, James, private, Company D, Third Iowa Cavalry.	Apr. 4, 1865			Gallantry in capturing Gen. Marmaduke.
200	Dunn, Alanson, corporal, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Oaage, Kans.	Oct. 25, 1864.	See note at end of table.

201	Dunn, Daniel, private, Company A, Twenty-seventh Maine Infantry.	do.....			Do.	
202	Dunn, John K., private, Company C, Twenty-seventh Maine Infantry.	do.....			Do.	
203	Dunn, William S., corporal, Company C, Twenty-seventh Maine Infantry.	do.....			Do.	
1066	Dunne, James, corporal, Chicago Mercantile Battery, Illinois Light Artillery.	Jan. 15, 1865	Vicksburg, Miss.	May 22, 1863	Carried, with others, by hand, a cannon up to and fired it through an embrasure of the enemy's works.	
204	Dunnell, Samuel, Jr., second lieutenant, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.	
205	Dunnell, Samuel L., private, Company C, Twenty-seventh Maine Infantry.	do.....			Do.	
206	Dunnells, Loring, private, Company H, Twenty-seventh Maine Infantry.	do.....			Do.	
207	Dunnells, Mark W., private, Company K, Twenty-seventh Maine Infantry.	do.....			Do.	
1869	Du Pont, Henry A., captain Fifth U. S. Artillery.	Apr. 2, 1868	Cedar Creek, Va.	Oct. 19, 1864	By his distinguished gallantry and voluntary exposure to the enemy's fire at a critical moment, when the Union line had been broken, encouraged his men to stand to their guns, checked the advance of the enemy and brought off most of his pieces. See note at end of table.	
208	Duran, William, private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.	
209	Durgin, Abdon L., sergeant, Company F, Twenty-seventh Maine Infantry.	do.....			Do.	
210	Durgin, Almon C., corporal, Company F, Twenty-seventh Maine Infantry.	do.....			Do.	
211	Durgin, George W., private, Company B, Twenty-seventh Maine Infantry.	do.....		*		
912	Durgin, William W., first sergeant, Company F, Tenth V. R. C.	May 20, 1865		April, 1865.	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.	
1439	Durham, James R., second lieutenant, Company E, Twelfth West Virginia Infantry.	Mar. 6, 1860	Winchester, Va.	June 14, 1863	Led his command over the stone wall, where he was wounded.	
1232	Durham, John S., sergeant, Company F, First Wisconsin Infantry.	Nov. 20, 1868	erryville, Ky.	Oct. 8, 1862.	Seized the flag of his regiment when the color sergeant was shot, and advanced with the flag, midway between the lines, amid a shower of shot, shell, and bullets, until stopped by his commanding officer.	
913	Durkee, Joseph H., first lieutenant, Company E, Seventh V. R. C.	May 20, 1865		April, 1865.	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.	
212	Dyer, Charles H., private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.	
213	Dyer, William, private, Company C, Twenty-seventh Maine Infantry.	do.....			Do.	
214	Eastman, Frank, private, Company H, Twenty-seventh Maine Infantry.	do.....			Do.	
215	Eaton, Walter, private, Company E, Twenty-seventh Maine Infantry.	do.....			Do.	
1068	Eckes, John N., private, Company E, Forty-seventh Ohio Infantry.	July 21, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."	

Medals of honor issued by the War Department up to and including Sept. 1, 1904.—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Place.	Action.	Date.	Ground of award.
2154	Eddy, Samuel E., private, Company D, Thirty-seventh Massachusetts Infantry.	Sept. 10, 1897	Sailors Creek, Va.		Apr. 6, 1865	Saved the life of the adjutant of his regiment by voluntarily going beyond the line and there killing one of the enemy then in the act of firing upon the wounded officer. Was assailed by several of the enemy, run through the body with a bayonet and pinned to the ground, but while so situated he shot and killed his assailant. See note at end of table.
216	Edgerly, George W., private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865				Do.
217	Edgerly, Samuel H., private, Company F, Twenty-seventh Maine Infantry.	do.				
1592	Edgerton, Nathan H., lieutenant and adjutant, Sixth U. S. C. T.	Mar. 30, 1868	Chapin's farm, Virginia.		Sept. 20, 1864	Took up the flag after three color bearers had been shot down and bore it forward, though himself wounded.
1984	Edwards, David, private, Company H, One hundred and forty-sixth New York Infantry.	May 10, 1865	Five Forks, Va.		Apr. 1, 1865	Capture of flag.
218	Edwards, George W., private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865				See note at end of table.
914	Edwards, John R., first sergeant, Company E, Seventh V. R. C.	May 20, 1865			April, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
2261	Edwards, William D., first sergeant Company F, Seventh U. S. Infantry.	Dec. 2, 1878	Big Hole, Mont.		Aug. 9, 1877	Bravery in action.
219	Eldridge, Edward W., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865				See note at end of table.
2262	Eldridge, George H., sergeant, Company C, Sixth U. S. Cavalry.	Aug. 25, 1870	Wichita River, Tex.		July 12, 1870	Gallantry in action.
220	Eldridge, Philadelphia, private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865				See note at end of table.
221	Eldridge, William H., private, Company D, Twenty-seventh Maine Infantry.	do.				Do.
1985	Elliot, Alexander C., sergeant, Company A, First Pennsylvania Cavalry.	May 3, 1865	Palmer Cross Roads, Va.		Apr. 5, 1865	Capture of flag.
222	Elliot, Isaac, private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865				See note at end of table.
1905	Elliot, Russell C., sergeant, Company B, Third Massachusetts Cavalry.	Nov. 20, 1896	Natchitoches, La.		Apr. 19, 1894	Seeing a Confederate officer in advance of his command, charged on him alone and unaided and captured him.
223	Elliot, William L., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865				See note at end of table.
1354	Ellis, Horace A., private, Company A, Seventh Wisconsin Infantry.	Dec. 1, 1864	Weldon Railroad, Va.		Aug. 21, 1864	Capture of flag of Sixteenth Mississippi (C. S. A.).

2102	Ellis, William, first sergeant, Company K, Third Wisconsin Cavalry.	Mar. 8, 1865	Dardanelles, Ark.	Jan. 14, 1865	Remained at his post after receiving three wounds, and only retired, by his commanding officer's order, after being wounded the fourth time.
1715	Elkworth, Thomas F., first lieutenant, Company B, Fifty-fifth Massachusetts Infantry.	Nov. 18, 1865	Honey Hill, S. C.	Nov. 30, 1864	Under a heavy fire, carried his wounded commanding officer from the field.
981	Elisasson, corporal, Indian Scouts.	Apr. 12, 1875		Winter of 1872-73	Gallantry in campaigns and actions with Indians.
1160	Elson, James M., sergeant, Company C, Ninth Iowa Infantry.	Sept. 12, 1891	Vicksburg, Miss.	May 22, 1863	Carried the colors in advance of his regiment and was shot down while attempting to plant them on the enemy's works.
2263	Elwood, Edwin L., private, Company G, Eighth U. S. Cavalry.	Feb. 14, 1870	Chiricahua Mountains, Ariz.	Oct. 20, 1869	Gallantry in action.
1337	Embler, Andrew H., captain, Company D, Fifty-ninth New York Infantry.	Oct. 19, 1893	Boydton Plank Road, Va.	Oct. 27, 1864	Charged at the head of 2 regiments, which drove the enemy's main body, gained the crest of the hill near the Burgess house, and forced a barrage on the Boydton road.
224	Emerson, George W., private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
225	Emery, Franklin, private, Company B, Twenty-seventh Maine Infantry.	do.			Do.
226	Emery, Isaac M., sergeant, Company I, Twenty-seventh Maine Infantry.	do.			Do.
227	Emery, John F., private, Company D, Twenty-seventh Maine Infantry.	do.			Do.
228	Emery, John H., musician, Company E, Twenty-seventh Maine Infantry.	do.			Do.
229	Emery, William R., private, Company E, Twenty-seventh Maine Infantry.	do.			Do.
2264	Emmet, Robert Temple, second lieutenant, Ninth U. S. Cavalry.	Aug. 24, 1899	Las Animas Canyon, N. Mex.	Sept. 18, 1879	Distinguished gallantry in action against hostile Indians.
230	Emmons, D. Taylor, private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
231	Emmons, George, private, Company I, Twenty-seventh Maine Infantry.	do.			Do.
232	Emmons, George W., private, Company I, Twenty-seventh Maine Infantry.	do.			Do.
233	Emmons, John, private, Company I, Twenty-seventh Maine Infantry.	do.			Do.
234	Emmons, John G., private, Company I, Twenty-seventh Maine Infantry.	do.			Do.
235	Emmons, Joseph R., private, Company K, Twenty-seventh Maine Infantry.	do.			Do.
1472	Enderlin, Richard, musician, Company B, Seventy-third Ohio Infantry.	Sept. 11, 1897	Gettysburg, Pa.	July 1-3, 1863	Voluntarily took a rifle and served as a soldier in the ranks during the first and second days of the battle. Voluntarily, and at his own imminent peril, went into the enemy's lines at night and, under a sharp fire, rescued a wounded comrade. Responded to a call for volunteers to carry ammunition to the regiment on the picket line, and under a heavy fire from the enemy assisted in carrying a box of ammunition to the front and remained to distribute the same.
1788	Engle, James E., sergeant, Company I, Ninety-seventh Pennsylvania Infantry.	Dec. 17, 1896	Bermuda Hundred, Va.	May 18, 1864	

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1593	English, Edmund, first sergeant Company C, Second New Jersey Infantry.	Feb. 13, 1891	Wilderness, Va.	May 6, 1864.	During a rout and while under orders to retreat, seized the colors, rallied the men, and drove the enemy back. Was one of a detachment of 20 picked artillerymen who voluntarily accompanied an infantry assaulting party, and who turned upon the enemy the guns captured in the assault. Discovered a party of insurgents inside a wall, climbed to the top of the wall, covered them with his gun, and forced them to slack arms and surrender. Voluntarily led troops in a charge over a burning bridge.
2144	Emmis, Charles D., private, Company G, First Rhode Island Light Artillery.	June 28, 1892	Petersburg, Va.	Apr. 2, 1865.	
2535	Epps, Joseph L., private, Company E, Thirty-third U. S. Volunteer Infantry.	Feb. 7, 1902	Vigan, Luzon, P. I.	Dec. 4, 1899.	
1789	Estes, Llewellyn G., captain and A. A. Gen. Vols.	Aug. 29, 1894	Flint River, Ga.	Aug. 30, 1864.	
236	Ethridge, Stephen L., private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1986	Evans, Coran D., private, Company A, Third Indiana Cavalry.	May 3, 1865	Sailors Creek, Va.	Apr. 6, 1865.	
2165	Evans, Ira H., captain Company B, One hundred and sixteenth U. S. C. T.	Mar. 24, 1892	Hatchers Run, Va.	Apr. 2, 1865.	Capture of flag of Twenty-sixth Virginia Infantry (C. S. A.). Voluntarily passed out between the lines, under a heavy fire from the enemy, and obtained important information.
1594	Evans, James R., private, Company H, Sixty-second New York Infantry.	Feb. 25, 1895	Wilderness, Va.	May 5, 1864.	Went out in front of the line under a fierce fire and, in the face of the rapidly advancing enemy, rescued the regimental flag with which the color bearer had fallen.
1632	Evans, Thomas, private, Company D, Fifty-fourth Pennsylvania Infantry.	Nov. 26, 1864	Piedmont, Va.	June 5, 1864.	Capture of flag of Forty-fifth Virginia (C. S. A.).
972	Evans, William, private, Company E, Seventh U. S. Infantry.	Dec. 2, 1876	Big Horn, Mont.	July 9, 1876.	Carried dispatches to Brig. Gen. Crook through a country occupied by Sioux.
1987	Everson, Adelbert, private, Company D, One hundred and eighty-fifth New York Infantry.	May 10, 1895	Five Forks, Va.	Apr. 1, 1865.	Capture of flag.
1988	Ewing, John C., private, Company E, Two hundred and eleventh Pennsylvania Infantry.	May 20, 1895	Petersburg, Va.	Apr. 2, 1865.	Do.
992	Factor, Pompey, private, Indian Scouts Fairfield, Lendol N., private, Company, C, Twenty-seventh Maine Infantry.	May 28, 1875	Pecos River, Tex.	Apr. 25, 1875.	Gallantry in action. See note at end of table.
237	Falconer, John A., corporal, Company A, Seventeenth Michigan Infantry.	Jan. 24, 1895			
1188	Falconer, John A., corporal, Company A, Seventeenth Michigan Infantry.	July 27, 1896	Fort Sanders, Knoxville, Tenn.	Nov. 20, 1863.	Conducted the "burning party" of his regiment at the time a charge was made on the enemy's picket line, and burned the house which had sheltered the enemy's sharpshooters, thus insuring success to a hazardous enterprise.
874	Falcott, Henry, sergeant, Company I, Eighth U. S. Cavalry.	July 24, 1899	Arizona.	August to October, 1868.	Bravery in scouts and actions with Indians.
1633	Fall, Charles S., sergeant, Company E, Twenty-sixth Michigan Infantry.	May 13, 1899	Spotsylvania Court-house, Va.	May 12, 1864.	Was one of the first to mount the Confederate works, where he bayoneted 2 of the enemy and captured a Confederate flag but threw it away to continue the pursuit of the enemy.

238	Fall, Henry R., sergeant, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	See note at end of table.	
239	Fall, Howard S., private, Company D, Twenty-seventh Maine Infantry.	do.....	.....	Do.	
240	Fall, Isaac F., captain Company B, Twenty-seventh Maine Infantry	do.....	.....	Do.	
1223	Fallon, Thomas T., private, Company K, Thirty-seventh New York Infantry.	Feb. 13, 1891	Williamsburg, Va. Fair Oaks, Va.....	Assisted in driving rebel skirmishers to their main line. Participated in action, though excused from duty because of disability. In a charge with his company, was the first man on the enemy's works.	
1355	Falls, Benjamin F., color sergeant, Company A, Nineteenth Massachusetts Infantry.	Dec. 1, 1864	Big Shanty, Ga.....	June 14-15, 1864.	
1889	Fanning, Nicholas, Company B, Fourth Iowa Cavalry.	June 17, 1865	Gettysburg, Pa.....	July 3, 1863.	
1910	Farnsworth, Herbert E., sergeant major, Tenth New York Cavalry.	Apr. 1, 1868	Selma, Ala.....	Apr. 2, 1865.	Capture of silk Confederate States flag and 2 staff officers.
1224	Farquhar, John M., sergeant major, Eighty-ninth Illinois Infantry.	Aug. 6, 1902	Trevilian Station, Va.	June 11, 1864.	Voluntarily carried a message which stopped the firing of a Union battery into his regiment, in which service he crossed a ridge in plain view and swept by the fire of both armies.
875	Farren, Daniel, private, Company B, Eighth U. S. Cavalry.	July 24, 1869	Stone River, Tenn.....	Dec. 31, 1862.	When a break occurred on the extreme right wing of the Army of the Cumberland, this soldier rallied fugitives from other commands and deployed his own regiment, thereby checking the Confederate advance until a new line was established.
1034	Fasnacht, Charles H., sergeant, Company A, Ninety-ninth Pennsylvania Infantry.	Apr. 2, 1878	Arizona.....	August to October, 1863.	Bravery in scouts and actions with Indians.
1440	Fassett, John B., captain Company F, Twenty-third Pennsylvania Infantry.	Dec. 29, 1894	Spotsylvania, Va.....	May 12, 1864.	Capture of flag of Second Louisiana Tigers (C. S. A.) in a hand to hand contest.
241	Favour, Horace H., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Gettysburg, Pa.....	July 2, 1863.	While acting as an aide, voluntarily led a regiment to the relief of a battery and recaptured its guns from the enemy.
2265	Feaster, Mosheim, private, Company E, Seventh U. S. Cavalry.	June 23, 1891	Wounded Knee Creek, S. Dak.	Dec. 29, 1890.	See note at end of table.
2501	Fegan, James, sergeant, Company H, Third U. S. Infantry.	Oct. 19, 1878	Plum Creek, Kans.....	March, 1868.	Extraordinary gallantry.
242	Fenderson, Charles W., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	While in charge of a powder train en route from Fort Harker to Fort Dodge, Kans., was attacked by a party of desperadoes who attempted to rescue a deserter in his charge and to fire the train.
2536	Ferguson, Arthur M., first lieutenant, Thirty-sixth U. S. Volunteer Infantry.	Mar. 8, 1902	Near Persce, Luzon, P. I.	Sept. 23, 1899.	Sergeant Fegan, single handed, repelled the attacking party, wounding 2 of them, and brought his train through in safety.
243	Ferguson, George A., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1090	Fernald, Albert E., first lieutenant, Company F, Twentieth Maine Infantry.	May 10, 1866	Five Forks, Va.....	Apr. 1, 1865.	Charged alone a body of the enemy and captured a captain.
					Capture of flag.

Medals of honor issued by the War Department up to and including Sept. 1, 1904.—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Date.	Description of award.
			Place.			
244	Fernald, Alonzo, corporal, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865				See note at end of table.
245	Fernald, Benjamin, private, Company G, Twenty-seventh Maine Infantry.	do.				Do.
246	Fernald, Simon, private, Company G, Twenty-seventh Maine Infantry.	do.				Do.
247	Fernald, Stephen, private, Company K, Twenty-seventh Maine Infantry.	do.				Do.
248	Ferris, George, corporal, Company D, Eighth U. S. Cavalry.	Nov. 23, 1869	Red Creek, Ark.	Sept. 23, 1869		Gallantry in action.
1871	Ferrier, Daniel T., sergeant, Company K, Second Indiana Cavalry.	Mar. 30, 1868	Varnells Station, Ga.	May 9, 1864		While his regiment was retreating, voluntarily gave up his horse to his brigade commander who had been unhorsed and was in danger of capture, thereby enabling him to rejoin and rally the disorganized troops. Sergt. Ferrier himself was captured and confined in Confederate prisons, from which he escaped, and, after great hardship, rejoined the Union lines.
2103	Ferris, Eugene W., first lieutenant and adjutant, Thirtieth Massachusetts Infantry.	Oct. 16, 1867	Berryville, Va.	Apr. 1, 1865		Accompanied only an orderly, crossed the lines of the Army, he gallantly resisted an attack of 3 of Meade's cavalry, mortally wounded 3 more, and, though wounded himself, escaped and captured a flag of Eighteenth North Carolina (C. S. A.) within the enemy's works.
1991	Fesso, Frank, private, Company A, Fortieth New Jersey Infantry.	May 10, 1865	Petersburg, Va.	Apr. 2, 1865		Gallantry in action.
2267	Fichter, Herman, private, Company F, Third U. S. Cavalry.	Nov. 13, 1871	Whetstone Mountain, S. C.	May 5, 1871		While on the advance skirmish line and within direct and close fire of the enemy's artillery, crossed the mill race on a burning bridge and ascertained the enemy's position.
2104	Finkbeiner, Henry S., private, Company D, One hundred and seventh Ohio Infantry.	Mar. 30, 1868	Dinges Mill, S. C.	Apr. 9, 1865		Gallantry in the charge of the "volunteer storming party."
1097	Fisher, John H., first lieutenant, Company B, Fifty-fifth Illinois Infantry.	Sept. 2, 1863	Vicksburg, Miss.	May 22, 1863		Carried the colors 50 yards in advance of his regiment, and after being painfully wounded, attempted to crawl into the enemy's works in an endeavor to plant his flag thereon.
1928	Fisher, Joseph, corporal, Company C, Sixty-first Pennsylvania Infantry.	Jan. 16, 1864	Petersburg, Va.	Apr. 2, 1865		See note at end of table.
248	Fitzgerald, David, private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865				
1838	Flanagan, Augustin, sergeant, Company A, Fifty-fifth Pennsylvania Infantry.	Apr. 6, 1865	Chapin's farm, Virginia.	Sept. 20, 1864		Gallantry in the charge on the enemy's works; rushing forward with the colors and calling upon the men to follow him, was severely wounded.
249	Flanders, Daniel C., private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865				See note at end of table.
250	Flanders, George W., private, Company G, Twenty-seventh Maine Infantry.	do.				Do.

1439	Flannigan, James, private, Company H, Second Minnesota Infantry.	Sept. 11, 1867	Nolensville, Tenn.	Feb. 15, 1863	Was one of a detachment of 16 men who heroically defended a wagon train against the attack of 125 cavalry, repulsed the attack and saved the train.
1965	Fleetwood, Christian A., sergeant major, Fourth U. S. C. T.	Apr. 6, 1865	Chapin's farm, Virginia.	Sept. 20, 1864	Seized the colors after 3 color bearers had been shot down, and bore them nobly through the fight.
251	Flood, Ebenezer T., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.	Do.	See note at end of table.
252	Floyd, Daniel, private, Company A, Twenty-seventh Maine Infantry.	do.	do.	Do.	Do.
253	Fly, Stephen S., private, Company H, Twenty-seventh Maine Infantry.	do.	do.	Do.	Do.
1336	Flynn, Christopher, corporal, Company K, Fourteenth Connecticut Infantry.	Dec. 1, 1864	Gettysburg, Pa.	July 3, 1863	Capture of flag of Fifty-second North Carolina (U. S. A.).
1098	Flynn, James E., sergeant, Company G, Sixth Missouri Infantry.	June 19, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
2248	Foley, John H., sergeant, Company B, Third U. S. Cavalry.	May 22, 1872	Loupe Fork, Platte River, Nebr.	Apr. 26, 1872	Gallantry in action.
1215	Follett, Joseph L., sergeant, Company G, First Missouri Light Artillery.	Sept. 19, 1860	New Madrid, Mo.	Mar. 3, 1862	Remained on duty though severely wounded. While procuring ammunition from the supply train was captured, but made his escape, secured the ammunition, and in less than an hour from the time of his capture had the batteries supplied.
876	Folly, William H., private, Company B, Eighth U. S. Cavalry.	July 24, 1860	Arizona	Aug. 10, 1868	Bravery in scouts and actions with Indians.
877	Foran, Nicholas, private, Company L, Eighth U. S. Cavalry.	do.	do.	do.	Do.
1839	Force, Manning F., brigadier general U. S. Volunteers.	Mar. 31, 1862	Atlanta, Ga.	July 22, 1864	Charged upon the enemy's works and, after their capture, defended his position against assaults of the enemy until he was severely wounded.
254	Ford, Alvin A., private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.	See note at end of table.	See note at end of table.
1992	Ford, George W., first lieutenant, Company E, Eighty-eighth New York Infantry.	May 10, 1865	Sailors Creek, Va.	Apr. 6, 1865	Capture of flag.
915	Forehand, Lloyd D., first sergeant, Company I, Eighteenth V. R. C.	May 20, 1865	do.	April, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
1236	Forman, Alexander A., corporal, Company E, Seventh Michigan Infantry.	Aug. 17, 1865	Fair Oaks, Va.	May 31, 1862	Although wounded he continued fighting until, fainting from loss of blood, he was carried off the field.
2240	Forsyth, Thomas H., first sergeant, Company M, Fourth U. S. Cavalry.	July 14, 1861	Powder River, Wyo.	Nov. 25, 1876	Though dangerously wounded, he maintained his ground with a small party against a largely superior force, after his commanding officer had been shot down during a sudden attack, and rescued that officer and a comrade from the enemy.
255	Foss, Edward L., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.	Do.	See note at end of table.
246	Foss, Enos L., musician, Company C, Twenty-seventh Maine Infantry.	do.	do.	Do.	Do.
257	Foss, James L., private, Company A, Twenty-seventh Maine Infantry.	do.	do.	Do.	Do.
258	Foss, Robert, corporal, Company A, Twenty-seventh Maine Infantry.	do.	do.	Do.	Do.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
259	Foss, William A., corporal, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
260	Foster, Charles H., private, Company H, Twenty-seventh Maine Infantry.	do.....			Do.
261	Foster, John B., private, Company C, Twenty-seventh Maine Infantry.	do.....			Do.
2770	Foster, William, sergeant, Company F, Fourth U. S. Cavalry.	Nov. 19, 1872	Red River, Tex.....	Sept. 20, 1872.....	Gallantry in action.
2604	Fournia, Frank O., private, Company H, Seventh U. S. Infantry.	June 22, 1899	Santiago, Cuba.....	July 1, 1898.....	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy.
1237	Fout, Frederick W., second lieutenant, Fifteenth Battery Indiana Light Artillery.	Nov. 2, 1896	Near Harpers Ferry, W. Va.	Sept. 15, 1862.....	Voluntarily gathered the men of the battery together, remanned the guns, which had been ordered abandoned by an officer, opened fire, and kept up the same on the enemy until after the surrender.
262	Fowler, Edward S., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
263	Fowler, Frank, private, Company A, Twenty-seventh Maine Infantry.	do.....			Do.
1238	Fox, Henry, sergeant, Company H, One hundred and sixth Illinois Infantry.	May 16, 1899	Near Jackson, Tenn.....	Dec. 23, 1862.....	When his command was surrounded by a greatly superior force, voluntarily left the shelter of the breastworks, crossed an open railway trestle under a concentrated fire from the enemy, made his way out, and secured reinforcements for the relief of his command.
1635	Fox, Henry M., sergeant, Company M, Fifth Michigan Cavalry.	Sept. 27, 1864	Winchester, Va.....	Sept. 19, 1864.....	Capture of flag.
1548	Fox, Nicholas, private, Company H, Twenty-eighth Connecticut Infantry.	Apr. 1, 1898	Port Hudson, La.....	June 14, 1863.....	Made two trips across an open space in the face of the enemy's concentrated fire, and secured water for the sick and wounded.
2133	Fox, William R., corporal, Company A, Ninety-fifth Pennsylvania Infantry.	Mar. 28, 1879	Petersburg, Va.....	Apr. 2, 1866.....	Bravely assisted in the capture of 1 of the enemy's guns; with the first troops to enter the city, captured the flag of the Confederate customhouse.
264	Foye, Isaac M., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1099	Frantz, Joseph, private, Company E, Eighty-third Indiana Infantry.	Aug. 13, 1894	Vicksburg, Miss.....	May 22, 1863.....	Gallantry in the charge of the "volunteer storming party."
1156	Fraser, William W., private, Company I, Ninety-seventh Illinois Infantry.	Oct. 24, 1895	do.....	do.....	Do.
1307	Freeman, Archibald, private, Company E, One hundred and twenty-fourth New York Infantry.	Dec. 1, 1864	Spottsylvania, Va.....	May 12, 1864.....	Capture of flag of Seventeenth Louisiana (C. S. A.).
1239	Freeman, Henry B., first lieutenant, Eighteenth U. S. Infantry.	Feb. 17, 1894	Stone River, Tenn.....	Dec. 31, 1892.....	Voluntarily went to the front and picked up and carried to a place of safety under a heavy fire from the enemy, an acting field officer who had been wounded and was about to fall into the enemy's hands.

265	Freeman, John W., corporal, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2156	Freeman, Wm. H. (See a 156.)				
2771	Freemeyer, Christopher, private, Company D, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876 to Jan. 8, 1877	Gallantry in actions.
1240	French, Samuel S., private, Company E, Seventh Michigan Infantry.	Oct. 24, 1865	Fair Oaks, Va.	May 31, 1862	Continued fighting, although wounded, until he fainted from loss of blood.
1100	Frey, Franz, corporal, Company H, Thirty-seventh Ohio Infantry.	Aug. 14, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
1241	Frick, Jacob G., colonel, One hundred and twenty-ninth Pennsylvania Infantry.	June 7, 1862	Fredericksburg, Va.	Dec. 13, 1862	Set the colors and led the command through a terrible fire of cannon and musketry.
266	Frisbee, Josiah P., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Chancellorsville, Va.	May 3, 1863	In a hand-to-hand fight, recaptured the colors of his regiment. See note at end of table.
1101	Fitzell, Henry F., private, Company B, Sixth Missouri Infantry.	July 30, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
267	Frost, Harrison T., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
268	Frost, Hugh A., private, Company E, Twenty-seventh Maine Infantry.	do.			Do.
1515	Fuger, Frederick, sergeant, Battery A, Fourth U. S. Artillery.	Aug. 24, 1867	Gettysburg, Pa.	July 3, 1863	All the officers of his battery having been killed or wounded, and five of its guns disabled in Pickett's assault, he succeeded to the command and fought the remaining gun with most distinguished gallantry until the battery was ordered withdrawn. See note at end of table.
269	Fuller, Edwin, corporal, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
270	Fullerton, David B., captain, Company D, Twenty-seventh Maine Infantry.	do.			
1963	Funk, West, major, One Hundred and twenty-first Pennsylvania Infantry.	Oct. 15, 1872	Appomattox Court House, Va.	Apr. 9, 1865	Capture of flag of Forty-sixth Virginia Infantry (C. S. A.).
2637	Fustini, Frederick, colonel, Twentieth Kansas Infantry.	Feb. 14, 1900	Rio Grande de la Pampa, Luzon, P. I.	Apr. 27, 1899	Crossed the river on a raft, and by his skill and daring enabled the general commanding to carry the enemy's entrenched position on the north bank of the river and drive him with great loss from an important strategic position.
1473	Furman, Chester S., corporal, Company A, Sixth Pennsylvania Reserves.	Aug. 3, 1867	Gettysburg, Pa.	July 2, 1863	Was one of 6 volunteers who charged upon a log house near the Devil's Den, where a squad of the enemy's sharpshooters were sheltered, and compelled their surrender.
1790	Furness, Frank, captain, Company F, Sixth Pennsylvania Cavalry.	Oct. 20, 1899	Trevilian Station, Va.	June 12, 1864	Voluntarily carried a box of ammunition across an open space, swept by the enemy's fire, to the relief of an outpost, whose ammunition had become almost exhausted, but which was thus enabled to hold its important position.
1478	Gage, Richard J., private, Company D, One Hundred and fourth Illinois Infantry.	Oct. 30, 1867	Elk River, Tenn.	July 2, 1863	Voluntarily joined a small party that, under a heavy fire, captured a stockade and saved the bridge.
271	Gallagher, Edward H., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
272	Gallison, Greenleaf W., private, Company A, Twenty-seventh Maine Infantry.	do.			Do.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Award.
			Place.	Date.	
1791	Galloway, George N., private, Company G, Ninety-fifth Pennsylvania Infantry.	Oct. 24, 1865	Absop's farm, Virginia.	May 8, 1864.	Voluntarily held an important position under heavy fire.
2171	Galliers, John, commissary sergeant, Eighth Pennsylvania Cavalry.	Oct. 30, 1867	Farmville, Va.	Apr. 7, 1865.	His regiment being surprised and nearly overwhelmed, he dashed forward under a heavy fire, reached the right of the regiment, where the danger was greatest, rallied the men, and prevented a disaster that was imminent.
2538	Galt, Sterling A., artificer, Company F, Thirty-sixth U. S. Volunteer Infantry.	Apr. 30, 1902	Near Hambam, Luzon, P. I.	Nov. 9, 1899.	Distinguished bravery and conspicuous gallantry in action against insurgents.
977	Gallner, Asa B., captain, Company I, Twenty-second New York State Militia.	Sept. 23, 1872			Distinguished services performed during the Civil War.
1840	Gardiner, James, private, Company I, Thirty-sixth U. S. C. T.	Apr. 6, 1865	Chapin's farm, Virginia.	Sept. 29, 1864.	Rushed in advance of his brigade, shot a rebel officer who was on the parapet rallying his men, and then ran him through with his bayonet.
2188	Gardiner, Peter W., private, Company H, Sixth U. S. Cavalry.	Nov. 16, 1876	Sappa Creek, Kans.	Apr. 23, 1875.	Gallantry in action.
878	Gardner, Charles, private, Company B, Eighth U. S. Cavalry.	July 24, 1860	Arizona.	August to October, 1863.	Bravery in actions and scouts against Indians.
1961	Gardner, Charles N., private, Company E, Thirty-second Massachusetts Infantry.	May 10, 1865	Five Forks, Va.	Apr. 1, 1865.	Capture of flag.
2105	Gardner, Robert J., sergeant, Company K, Thirty-fourth Massachusetts Infantry.	May 12, 1865	Petersburg, Va.	Apr. 2, 1865.	Was among the first to enter Fort Gregg, clearing his way by using his musket on the heads of the enemy.
273	Garland, Albra, private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
274	Garland, Charles E., private, Company I, Twenty-seventh Maine Infantry.	do.			Do.
2272	Garland, Harry, corporal, Company L, Second U. S. Cavalry.	Feb. 26, 1878	Little Muddy Creek, Mont. (Camas Meadows, Idaho).	May 7, 1877. Aug. 20, 1877.	Gallantry in action with hostile Sioux. Having been wounded in the hip so as to be unable to stand, he still continued to direct the men under his charge until the enemy withdrew.
275	Garland, John, private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2273	Garrington, Ernest A., first lieutenant, Seventh U. S. Cavalry.	Sept. 26, 1863	Wounded Knee Creek, S. Dak.	Dec. 29, 1890.	Distinguished gallantry.
1636	Garrett, William, sergeant, Company G, Forty-first Ohio Infantry.	Feb. 24, 1865	Nashville, Tenn.	Dec. 16, 1864.	With several companions dashed forward, the first to enter the enemy's works, taking possession of 4 pieces of artillery and capturing a flag.

276	Garvin, Paul W., corporal, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
277	Garvin, Samuel H., sergeant, Company H, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1596	Gasson, Richard, sergeant, Company K, Forty-seventh New York Infantry.	Apr. 6, 1865	Chapin's farm, Virginia.	Sept. 29, 1864.....	Fell dead while planting the colors of his regiment on the enemy's works.
2274	Gates, George, bugler, Company F, Eighth U. S. Cavalry.	Mar. 3, 1870	Pisacho Mountain, Ariz.	June 4, 1869.....	Killed an Indian warrior and captured his arms.
2024	Gaujot, Julien E. See addenda.	.....	.....	.....	.....
2539	Gaujot, Antoine. See addenda.	.....	.....	.....	.....
1637	Gaunt, John C., private, Company G, One hundred and fourth Ohio Infantry.	Feb. 13, 1865	Franklin, Tenn.....	Nov. 30, 1864.....	Capture of flag.
1638	Gause, Isaac, corporal, Company E, Second Ohio Cavalry.	Sept. 19, 1864	Near Berryville, Va.....	Sept. 13, 1864.....	Capture of the colors of the Fifth South Carolina Infantry while engaged in a reconnaissance along the Berryville and Winchester pike.
879	Gay, Thomas H., private, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona.....	August to October, 1868.....	Bravery in actions and scouts against Indians.
1189	Gaylord, Levi B., sergeant, Company A, Twenty-ninth Massachusetts Infantry.	June 22, 1866	Fort Steadman, Va.....	Mar. 25, 1865.....	Voluntarily assisted in working an abandoned gun, while exposed to a heavy fire until the enemy's advancing line was routed by a charge on its left flank.
2540	Geddon, Louis, private, Company G, Nineteenth U. S. Infantry.	Mar. 10, 1902	Near Mount Cebu, Arula, P. I.	Feb. 4, 1900.....	Single handed, defended his mortally wounded captain from an overwhelming force of the enemy.
2275	Geiger, George, sergeant, Company H, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn River, Mont.	June 25, 1876.....	With three comrades, during the entire engagement, courageously held a position that secured water for the command.
2276	Georgian, John, private, Company G, Eighth U. S. Cavalry.	Feb. 14, 1870	Chiricahua Mountains, Ariz.	Oct. 20, 1869.....	Bravery in action.
2502	Gerber, Frederick W., sergeant major, Battalion U. S. Engineers.	Nov. 8, 1871	.....	.....	.....
1639	Gere, Thomas P., first lieutenant and adjutant, Fifth Minnesota Infantry.	Feb. 24, 1865	Nashville, Tenn.....	Dec. 16, 1864.....	Distinguished gallantry in many actions and in recognition of long, faithful, and meritorious services covering a period of 32 years. Capture of flag of Fourth Mississippi (C. S. A.).
278	Gerrish, Alfred J. W., private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
279	Gerrish, George W., private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
280	Gerrish, Noah W., private, Company H, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
281	Gerry, Joatham H., corporal, Company G, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1102	Geschwind, Nicholas, private, Company F, One hundred and sixteenth Illinois Infantry.	Aug. 24, 1864	Vicksburg, Miss.....	May 22, 1863.....	Gallantry in the charge of the "volunteer storming party."
282	Getchell, Albert F., private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
283	Getchell, Emilius J., sergeant, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
284	Getchell, John M., captain, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
285	Getchell, Marcus M., private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	See note at end of table.
286	Getchell, Samuel M., private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1195	Globs, Wesley, sergeant, Company B, Second Connecticut Heavy Artillery.	May 10, 1865	Petersburg, Va.	Apr. 2, 1865	Capture of flag.
2541	Gibson, Edward H. See addenda.	do.....	.....	.....	Do.
1906	Gifford, Benjamin, private, Company H, One hundred and twenty-first New York Infantry.	Jan. 21, 1867	Salvors Creek, Va.	Apr. 6, 1865	Do.
1716	Gifford, David L., private, Company B, Fourth Massachusetts Cavalry.	.....	Ashepool River, S. C.	May 24, 1864	Volunteered as a member of a boat crew which went to the rescue of a large number of Union soldiers on board the stranded steamer Boston, and with great gallantry assisted in conveying them to shore, being exposed during the entire time to a heavy fire from a Confederate battery.
1872	Gilbert, Thomas, private, Eighteenth Independent Battery, New York Light Artillery.	June 20, 1862	Baton Rouge, La.	Oct. 11, 1864	Picked up several burning shells and put the fuse of each into water, thereby preventing their explosion and consequent loss of life.
287	Giles, Jesse, corporal, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1911	Gillespie, George L., First Lieutenant Corps of Engineers, U. S. A.	Oct. 27, 1867	Near Bethesda Church, Va.	May 31, 1864	Exposed himself to great danger by voluntarily making his way through the enemy's lines to communicate with Gen. Sheridan. While rendering this service he was captured, but escaped; again came in contact with the enemy, was again ordered to surrender, but escaped by dashing away under fire.
2542	Gillenwater, James R., corporal, Company A, Thirty-sixth U. S. Volunteer Infantry.	Mar. 15, 1902	Near Porac, Luzon, P. I.	Sept. 3, 1899	Gallantry in driving off a superior force of the enemy, and with the assistance of a comrade bringing from the field the bodies of 2 comrades, one killed and the other severely wounded.
1420	Gilligan, Edward L., first sergeant, Company E, Eighty-eighth Pennsylvania Infantry.	Apr. 30, 1862	Gettysburg, Pa.	July 1, 1863	Assisted in the capture of a Confederate flag by knocking down the color sergeant.
1397	Gilmore, John C., major, Sixteenth New York Infantry.	Oct. 10, 1862	Salcm Heights, Va.	May 3, 1863	Seized the colors of his regiment and gallantly rallied his men under a very severe fire.
268	Gilpatrick, William, private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1597	Ginley, Patrick, private, Company G, First New York Light Artillery.	Oct. 31, 1860	Reams Station, Va.	Aug. 25, 1864	When his command was driven from the works, this soldier, having been left alone between the opposing lines, crept back into the works, loaded one of the abandoned guns and fired directly into a body of the enemy about to seize the works; he then joined a regiment near by, took its colors and led it in a charge which recaptured the works and guns.

1474	Gion, Joseph, private, Company A, Seventy-fourth New York Infantry.	Nov. 26, 1864	Chancellorsville, Va.	May 2, 1863.	Voluntarily and under heavy fire advanced toward the enemy's lines and secured valuable information.
2277	Given, John J., corporal, Company K, K. Sixth U. S. Cavalry.	Aug. 25, 1870	Wichita River, Tex.	July 12, 1870.	Bravery in action.
2278	Givinski, Albert, blacksmith, Company M, Third U. S. Cavalry.	Oct. 16, 1877	Powder River, Mont.	Mar. 17, 1876.	Gallantry in action.
2279	Glover, T. B., sergeant, Troop B, Second U. S. Cavalry.	Nov. 20, 1867	Mirwah Creek, Mont.	Apr. 10, 1879.	While in charge of small scouting parties fought, charged, sur- rounded, and captured war parties of Sioux Indians.
2280	Glynn, Michael, private, Company F, Fifth U. S. Cavalry.	Dec. 4, 1874	Whetstone Mountains, Ariz.	Feb. 10, 1880. July 13, 1872.	Drove off, single handed, 8 hostile Indians, killing and wounding 5.
2281	Godfrey, Edward S., captain, Seventh U. S. Cavalry.	Nov. 27, 1864	Bear Paw Mountains, Mont.	Sept. 30, 1877.	Led his command into action when he was severely wounded.
1161	Godley, Leonidas M., first sergeant Company E, Twenty-second Iowa Infantry.	Aug. 3, 1897	Vicksburg, Miss.	May 22, 1863.	Led his company in the assault on the enemy's works and gained the parapet, there receiving three very severe wounds. He lay all day in the sun, was taken prisoner, and had his leg amputated without anæsthetics. Capture of flag and a battery guidon.
1421	Goettel, Philip, private, Company B, One hundred and forty-ninth New York Infantry.	June 28, 1865	Ringgold, Ga.	Nov. 27, 1863.	Capture of flag.
1597	Goben, Charles A., first sergeant Company G, Eighth New York Cavalry.	Mar. 26, 1865	Waynesboro, Va.	Mar. 2, 1865.	Capture of flag.
580	Golden, Patrick, sergeant, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona.	Aug. to Oct., 1868.	Bravery in actions and scouts against Indians.
2282	Golden, Theodore W., private, Troop G, Seventh U. S. Cavalry.	Dec. 21, 1865	Little Big Horn, Mont.	June 26, 1876.	One of a party of volunteers who, under a heavy fire from the Indians, went for and brought water to the wounded.
1103	Goldsberry, Andrew E., private, Company E, One hundred and seventh Illinois Infantry.	Aug. 9, 1894	Vicksburg, Miss.	May 22, 1863.	Gallantry in the charge of the "volunteer storming party."
289	Gooch, Charles W., private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
290	Gooch, Hiram T., private, Company I, Twenty-seventh Maine Infantry.	do.			Do.
291	Gooch, John B., private, Company I, Twenty-seventh Maine Infantry.	do.			Do.
292	Gooch, William H., private, Company I, Twenty-seventh Maine Infantry.	do.			Do.
1242	Goodall, Francis H., first sergeant Company G, Eleventh New Hampshire Infantry.	Dec. 14, 1864	Fredericksburg, Va.	Dec. 13, 1862.	With the assistance of another soldier brought a wounded comrade into the lines under heavy fire.
2283	Goodman, David, private, Company L, Eighth U. S. Cavalry.	Mar. 3, 1870	Lytle Creek, Ariz.	Oct. 14, 1869.	Bravery in action.
1398	Goodman, William E., first lieutenant Company D, One hundred and forty-seventh Pennsylvania Infantry.	Jan. 11, 1864	Chancellorsville, Va.	May 3, 1863.	Rescued the colors of the One hundred and seventh Ohio Volunteers from the enemy.
1717	Goodrich, Edwin, first lieutenant Company D, Ninth New York Cavalry.	May 14, 1864	Near Cedar Creek, Va.	Nov. —, 1864.	While the command was falling back, he returned, and in the face of the enemy rescued a sergeant from under his fallen horse.
916	Goodrich, George E., first sergeant Company A, Twelfth V. R. C.	May 9, 1865		April, 1865.	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
293	Goodsoe, Herbert, private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Place.	Action.	Date.	Ground of award.
294	Goodwin, Alonzo, private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865				See note at end of table.
295	Goodwin, Charles A., corporal, Company B, Twenty-seventh Maine Infantry.	do.				Do.
296	Goodwin, Charles H., private, company D, Twenty-seventh Maine Infantry.	do.				Do.
297	Goodwin, Eben M., private, Company K, Twenty-seventh Maine Infantry.	do.				Do.
298	Goodwin, Frank, private, Company F, Twenty-seventh Maine Infantry.	do.				Do.
299	Goodwin, Henry J., first lieutenant, Company K, Twenty-seventh Maine Infantry.	do.				Do.
300	Goodwin, Ivory L., private, Company B, Twenty-seventh Maine Infantry.	do.				Do.
301	Goodwin, James M., private, Company D, Twenty-seventh Maine Infantry.	do.				Do.
302	Goodwin, James W., wagoner, Company B, Twenty-seventh Maine Infantry.	do.				Do.
303	Goodwin, John M., private, Company H, Twenty-seventh Maine Infantry.	do.				Do.
304	Goodwin, Joseph B., private, Company D, Twenty-seventh Maine Infantry.	do.				Do.
305	Googins, William H., private, Company A, Twenty-seventh Maine Infantry.	do.				Do.
306	Gordon, Charles S., private, Company D, Twenty-seventh Maine Infantry.	do.				Do.
307	Gordon, George, private, Company I, Twenty-seventh Maine Infantry.	do.				Do.
308	Gordon, Henry, private, Company I, Twenty-seventh Maine Infantry.	do.				Do.
2107	Gould, Charles G., captain, Company H, Fifth Vermont Infantry.	July 30, 1860	Petersburg, Va.	Apr. 2, 1865		Among the first to mount the enemy's works in the assault, he received a serious bayonet wound in the face, was struck several times with clubbed muskets, but bravely stood his ground, and with his sword killed the man who bayoneted him. See note at end of table.
300	Gould, James H., private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865				

1104	Gould, Newton T., private, Company G, One hundred and thirteenth Illinois Infantry.	Sept. 6, 1864	Vicksburg, Miss.	May 22, 1863.	Gallantry in the charge of the "volunteer storming party."
1822	Gouraud, George E., captain and adjutant, U. S. Volunteers.	Aug. 21, 1863	Honey Hill, S. C.	Nov. 30, 1864.	While under severe fire of the enemy, which drove back the command, rendered valuable assistance in rallying the men.
310	Gove, George A., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
311	Gowell, Benjamin, private, Company H, Twenty-seventh Maine Infantry.	do.			Do.
312	Gowen, Walter A., private, Company F, Twenty-seventh Maine Infantry.	do.			Do.
313	Gowen, William B., corporal, Company E, Twenty-seventh Maine Infantry.	do.			Do.
314	Grace, Hiram M., private, Company G, Twenty-seventh Maine Infantry.	do.			Do.
1718	Grady, Peter, sergeant, Company G, Eighty-third Pennsylvania Infantry.	Dec. 27, 1864	Wilderness, Va.	May 3, 1864.	Single handed, rescued a comrade from 2 Confederate guards, knocking down 1 and compelling surrender of the other.
315	Grady, Joseph, sergeant, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
316	Graham, Joseph, private, Company C, Twenty-seventh Maine Infantry.	do.			Do.
317	Graham, William, private, Company H, Twenty-seventh Maine Infantry.	do.			Do.
1399	Graham, Thomas N., second lieutenant, Company G, Fifteenth Indiana Infantry.	Feb. 15, 1867	Missionary Ridge, Tenn.	Nov. 25, 1863.	Seized the colors from the color bearer, who had been wounded, and, exposed to a terrible fire, carried them forward, planting them on the enemy's breastworks.
318	Grant, Daniel W., private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
319	Grant, Elijah M., private, Company A, Twenty-seventh Maine Infantry.	do.			Do.
1243	Grant, Gabriel, surgeon, U. S. Volunteers.	July 21, 1867	Fair Oaks, Va.	June 1, 1862.	Removed severely wounded officers and soldiers from the field while under a heavy fire from the enemy, exposing himself beyond the gallantry, thus furnishing an example of most distinguished bravery, energy, and perseverance, involving much suffering and privation through attacks by hostile Indians, deep snows, etc., while voluntarily carrying dispatches.
2284	Grant, George, sergeant, Company E, Eighteenth U. S. Infantry.	May 6, 1871	Fort Phil. Kearny to Fort C. F. Smith, Dak.	February, 1867.	See note at end of table.
320	Grant, George W., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
1441	Grant, Lewis A., colonel Fifth Vermont Infantry.	May 11, 1863	Salem Heights, Va.	May 3, 1863.	Personal gallantry and intrepidity displayed in the management of his brigade and in leading it in the assault in which he was wounded.
321	Grant, Nicholas, wagoner, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
322	Grant, Seth, Jr., sergeant, Company K, Twenty-seventh Maine Infantry.	do.			Do.
1586	Grant, William, corporal, Company I, One hundred and eighty-eighth Pennsylvania Infantry.	Apr. 6, 1865	Fort Harrison, Va.	Sept. 29, 1864.	First to plant the colors of his State on the fortifications.
2005	Graves, Thomas J., private, Company C, Seventeenth U. S. Infantry.	June 22, 1869	El Caney, Cuba.	July 1, 1898.	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1244	Gray, John, private, Company B, Fifth Ohio Infantry.	Mar. 14, 1864	Port Republic, Va.	June 9, 1862	Mounted an artillery horse of the enemy and captured a brass 6-pound piece, in the face of the enemy's fire, and brought it to the rear.
323	Gray, John, sergeant, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1719	Gray, Robert A., sergeant, Company C, Twenty-first Connecticut Infantry.	July 13, 1867	Drewrys Bluff, Va.	May 16, 1864	While retreating with his regiment, which had been repulsed, he voluntarily returned, in face of the enemy's fire, to a former position and rescued a wounded officer of his company, who was unable to walk.
324	Gray, Sylvester, private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
2285	Graves, Clinton, corporal, Company C, Ninth U. S. Cavalry.	June 26, 1879	Florida Mountains, N. Mex.	Jan. 24, 1877	Gallantry in a hand-to-hand fight.
1912	Grebe, A. R. William, captain, Company F, Fourth Missouri Cavalry.	Feb. 24, 1899	Jonesboro, Ga.	Aug. 31, 1864	While acting as an aid and carrying orders across a most dangerous part of the battle field, being hindered by a Confederate advance, seized a rifle, took his place in the ranks, and bore a conspicuous part in repulsing the enemy.
2286	Green, Francis C., sergeant, Company K, Eighth U. S. Cavalry.	Sept. 6, 1899	Arizona	1868 and 1869	Bravery in actions.
1422	Green, George, corporal, Company H, Eleventh Ohio Infantry.	Jan. 12, 1892	Missionary Ridge, Tenn.	Nov. 25, 1863	Sealed the enemy's works and, in a hand-to-hand fight, captured a flag.
2287	Green, John, major, First U. S. Cavalry.	Nov. 18, 1897	The Lava Beds, Calif.	Jan. 17, 1873	In an advance upon Indians concealed among rocks, seeing some of his men hesitate, this officer, at great risk to himself, fearlessly walked in front of the line, thus reassuring and encouraging his command, which then advanced upon the hidden foe.
1640	Greenawalt, Abraham, private, Company G, One hundred and fourth Ohio Infantry.	Feb. 13, 1865	Franklin, Tenn.	Nov. 30, 1864	Capture of corps headquarters flag (C. S. A.).
1245	Greene, Oliver D., major and assistant adjutant general, Twenty-first Maine Infantry.	Dec. 13, 1893	Anietam, Md.	Sept. 17, 1862	Formed the columns under heavy fire, and put them into position.
325	Greenleaf, Edgar, sergeant, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2643	Greer, Allen I., second lieutenant, Fourth U. S. Infantry.	Mar. 10, 1902	Near Majada, Laguna Province, P. I.	July 2, 1901	Charged, alone, an insurgent outpost with his pistol, killing 1, wounding 2, and capturing 3 insurgents with their rifles and equipments.
1720	Gregg, Joseph O., private, Company F, One hundred and thirty-third Ohio Infantry.	May 13, 1899	Near the Richmond & Petersburg Ry., Virginia.	June 16, 1864	Voluntarily returned to the abandoned breastworks to notify three missing companies that the regiment was falling back; found the works occupied by the enemy, but refused a demand to surrender, and returned to his regiment under a concentrated fire, several bullets passing through his hat and clothing.

1246	Greig, Theodore W., second lieutenant, Company C, sixty-first New York Infantry.	Feb. 10, 1887	Antietam, Md.	Sept. 17, 1862.	A Confederate regiment, having planted its battle flag slightly in advance of the regiment, this officer rushed forward and seized it, and, although shot through the neck, retained the flag and brought it within the Union lines. Voluntarily led a party into a ravine to dislodge Indians concealed therein. While exposed to the fire of the enemy, carried from the field a wounded comrade.
2268	Graham, John C., first lieutenant, Seventh U. S. Cavalry.	Mar. 26, 1865	Wounded Knee Creek, S. Dak.	Dec. 29, 1860.	Capture of flag of Twelfth Virginia Infantry (C. S. A.).
1247	Gresser, Ignatz, corporal, Company D, one hundred and twenty-eighth Pennsylvania Infantry.	Dec. 12, 1865	Antietam, Md.	Sept. 17, 1862.	The command being almost out of ammunition and surrounded on three sides by the enemy, he voluntarily brought up a supply under heavy fire at almost point blank.
1908	Gribben, James H., lieutenant, Company C, second New York Cavalry.	May 3, 1865	Sailors Creek, Va.	Apr. 6, 1865	Saved the lives of some of his comrades, and greatly imperiled his own, by picking up and throwing away a lighted shell, which had fallen in the midst of the company.
2289	Grimes, Edward F., sergeant, Company E, Fifth U. S. Cavalry.	Jan. 27, 1880	Milk River, Colo.	Sept. 29 to Oct. 5, 1879.	The first to enter the enemy's works, where he captured two flags.
1721	Grimshaw, Samuel, private, Company E, Fifty-second Ohio Infantry.	Apr. 5, 1864	Atlanta, Ga.	Aug. 6, 1864.	In advance of his regiment, rushed to the assistance of his colonel, charging, pistol in hand, seven insurgents, compelling surrender of all not killed or wounded.
1999	Grindlay, James G., colonel, One hundred and forty-sixth New York Infantry.	Aug. 14, 1861	Five Forks, Va.	Apr. 1, 1865	Gallantry in advancing to the ditch of the enemy's works.
2544	Grove, William R., lieutenant colonel, Thirty-sixth U. S. Volunteer Infantry.	July 16, 1902	Near Porac, Luzon, P. I.	Sept. 9, 1869	With two comrades, voluntarily took position on board the steamer Cheeseman, in charge of all the guns and ammunition of the battery, and remained in charge of the same for a considerable time, while the steamer was unmanageable and subjected to a heavy fire from the enemy.
1841	Grueb, George, private, Company E, One hundred and fifty-eighth New York Infantry.	Apr. 6, 1865	Chapin's farm, Virginia	Sept. 29, 1864	See note at end of table.
1404	Guadin, Fitz W., private, Battery A, First Missouri Light Artillery.	Mar. 10, 1866	Grand Gulf, Miss.	Apr. 28-29, 1863	Gallantry in the charge of the "volunteer storming party."
326	Guilford, Charles, private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Bravery in actions and scout against Indians.
1105	Guinn, Timothy, private, Company D, Forty-seventh Ohio Infantry.	Aug. 21, 1864	Vicksburg, Miss.	May 22, 1863	See note at end of table.
2290	Gunther, Jacob, corporal, Company E, Eighth U. S. Cavalry.	Sept. 6, 1869	Arizona	1868 and 1869.	Do.
327	Guptill, Daniel, private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
328	Guptill, John A., private, Company D, Twenty-seventh Maine Infantry.	do.			When about entering upon the charge, this soldier, then but 15 years old, was cautioned not to go in as he had not been mustered. He indignantly protested and participated in the charge, his left arm being crushed by a shell and amputated soon afterwards.
329	Gurney, Fred S., sergeant, Company A, Twenty-seventh Maine Infantry.	do.			Capture of flag of Twenty-third Tennessee Infantry (C. S. A.).
1842	Gwynne, Nathaniel McLean, private, Company H, Thirtieth Ohio Cavalry.	Jan. 27, 1865	Petersburg, Va.	July 30, 1864	Gallantry in actions.
965	Hack, John. (See Addenda.)				
2000	Hack, Lester G., sergeant, Company F, Fifth Vermont Infantry.	May 10, 1865	Petersburg, Va.	Apr. 2, 1865	
2291	Hedden, John, corporal, Company B, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	October, 1876, to Jan. 8, 1877.	

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Action.		Date.	Ground of award.
		Place.	Date.		
1574	Hadley, Cornelius M., sergeant, Company F, Ninth Michigan Cavalry.	Knoxville, Tenn.	Apr. 5, 1868	Nov. 20, 1863	With one companion, voluntarily carried through the enemy's lines important dispatches from Gen. Grant to Gen. Burnside, then besieged within Knoxville, and brought back replies, his comrade's horse being killed and the man taken prisoner. As color bearer of his regiment he defended his colors with great personal gallantry, and brought them safely out of the action.
1191	Hadley, Osgood T., corporal, Company E, Sixth New Hampshire Veteran Infantry.	Near Pegram House, Va.	July 27, 1866	Sept. 30, 1864	See note at end of table.
330	Hadlock, Charles H., private, Company F, Twenty-seventh Maine Infantry.		Jan. 21, 1865		
2001	Hagerly, Asel, private, Company A, Sixty-first New York Infantry.	Sailors Creek, Va.	May 10, 1865	Apr. 6, 1865	Capture of flag.
1218	Haight, John H., sergeant, Company G, Seventy-second New York Infantry.	Williamsburg, Va.	June 8, 1865	May 5, 1862	Voluntarily carried a severely wounded comrade off the field in the face of a large force of the enemy; in doing so was himself severely wounded and taken prisoner.
1190	Haight, Sidney, corporal, Company E, First Michigan Sharpshooters.	Bristoe Station, Va.	July 31, 1866	Aug. 27, 1862	Went into the fight, although severely disabled.
331	Haley, Albert, private, Company F, Twenty-seventh Maine Infantry.	Manassas, Va.	do.	Aug. 29-30, 1862	Volunteered to search the woods for the wounded.
332	Haley, James C., private, Company I, Twenty-seventh Maine Infantry.	Petersburg, Va.	do.	July 30, 1861	Instead of retreating, remained in the captured works, regardless of his personal safety and exposed to the firing, which he boldly and deliberately returned until the enemy was close upon him.
333	Haley, Thomas, private, Company F, Twenty-seventh Maine Infantry.		do.		See note at end of table.
1549	Hall, Francis B., chaplain, Sixteenth New York Infantry.	Salem Heights, Va.	Feb. 16, 1867	May 3, 1862	Do.
334	Hall, Freeman, assistant surgeon, Twenty-seventh Maine Infantry.		Jan. 24, 1865		Do.
1249	Hall, H. Seymour, second lieutenant, Company G, Twenty-seventh New York Infantry; captain Company F, One hundred and twenty-first New York Infantry.	Gaines Mill, Va.	Aug. 17, 1861	June 27, 1862	Voluntarily exposed himself to a heavy fire during the thickest of the fight, and carried wounded men to the rear for treatment and attendance.
335	Hall, Ivory A., sergeant, Company K, Twenty-seventh Maine Infantry.	Rappahannock Station, Va.	Jan. 24, 1865	Nov. 7, 1863	See note at end of table.
861	Hall, John, private, Company B, Eighth U. S. Cavalry.	Arizona	July 24, 1869	August to October, 1868	Bravery in scouts and actions with Indians.
336	Hall, John, second lieutenant, Company E, Twenty-seventh Maine Infantry.		Jan. 21, 1865		See note at end of table.

1641	Hall, Newton H., corporal, Company I, One hundred and fourth Ohio Infantry.	Feb. 13, 1865	Franklin, Tenn.....	Nov. 30, 1864.....	Capture of flag, believed to have belonged to Stewart's corps (C. S. A.).
2292	Hall, William P., first lieutenant, Fifth U. S. Cavalry.	Sept. 18, 1867	Near camp on White River, Colo.	Oct. 20, 1879.....	With a reconnoitering party of 3 men, was attacked by 35 Indians, and several times exposed himself to draw the fire of the enemy, giving his small party opportunity to reply with much effect.
1550	Halleck, Nathan M., private, Company K, One hundred and twenty-fourth New York Infantry.	Sept. 10, 1867	Bristoe Station, Va....	June 15, 1863.....	At imminent peril saved from death or capture a disabled officer of his company by carrying him, under a hot musketry fire, to a place of safety.
337	Ham, George C., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	do.....	See note at end of table.
338	Ham, Norris S., private, Company K, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
339	Ham, Orrin F., private, Company A, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
2293	Hamilton, Frank, private, Company E, Eighth U. S. Cavalry.	Mar. 3, 1870	Agua Fria River, Ariz.	Aug. 25, 1869.....	Gallantry in action.
2294	Hamilton, Matthew H., private, Company G, Seventh U. S. Cavalry.	May 25, 1891	Wounded Knee Creek, S. Dak.	Dec. 29, 1900.....	Bravery in action.
1495	Hammel, Henry A., sergeant, Battery A, First Missouri Light Artillery.	Mar. 10, 1896	Grand Gulf, Miss.....	Apr. 28-29, 1863.....	With two comrades voluntarily took position on board the steamer Cheeseman, in charge of all the guns and ammunition of the battery, and remained in charge of the same for a considerable time, while the steamer was unmanageable and subjected to a heavy fire from the enemy.
340	Hampson, Charles, private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	do.....	See note at end of table.
1792	Haney, Milton L., chaplain Fifty-fifth Illinois Infantry.	Nov. 3, 1896	Atlanta, Ga.....	July 22, 1864.....	Voluntarily carried a musket in the ranks of his regiment and rendered heroic service in retaking the Federal works which had been captured by the enemy.
1642	Hanford, Edward R., private, Company H, Second U. S. Cavalry.	Oct. 14, 1864	Woodstock, Va.....	Oct. 9, 1864.....	Capture of flag of Thirty-second Battalion Virginia Cavalry (C. S. A.).
1162	Hanks, Joseph, private, Company E, Thirty-seventh Ohio Infantry.	Nov. 19, 1897	Vicksburg, Miss.....	May 22, 1863.....	Voluntarily went between the lines, exposed to the enemy's fire, to the rescue of a wounded and helpless comrade, gave him water, and carried him to a place of safety.
2295	Hanley, Richard P., sergeant, Company C, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn River, Mont.	June 25, 1876.....	Recaptured, single-handed and without orders, within the enemy's lines and under a galling fire, lasting some 20 minutes, a steam-ped pack mule loaded with ammunition.
917	Hanna, John, first sergeant, Company B, Fourteenth V. B. C.	May 20, 1865	do.....	April, 1865.....	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
1551	Hanna, Marcus A., sergeant, Company B, Fiftyeth Massachusetts Infantry.	Nov. 2, 1895	Fort Hudson, La.....	July 4, 1863.....	Voluntarily exposed himself to a heavy fire to get water for comrades in rifle pits.
1460	Hanna, Milton, corporal, Company H, Second Minnesota Infantry.	Sept. 11, 1897	Nolansville, Tenn.....	Feb. 15, 1863.....	Was one of a detachment of 16 men who heroically defended a wagon train against the attack of 123 cavalry, repulsed the attack, and saved the train.
341	Hanscom, Albert, private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	do.....	See note at end of table.
342	Hanscom, Charles H., private, Company I, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
343	Hanscom, Elias, private, Company K, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
344	Hanson, John F., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1358	Hanson, Moses C., corporal, Company F, Nineteenth Maine Infantry.	Dec. 1, 1864	Bristoe Station, Va....	Oct. 14, 1863.....	Capture of flag of Twenty-sixth North Carolina (C. S. A.).
345	Hanson, William L., private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
346	Hansome, Lyman M., private, Company B, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
347	Hanson, John S., private, Company B, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
348	Hanson, Lewis B., private, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
349	Hanson, Lorenzo S., private, Company B, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1823	Hapeman, Douglas lieutenant colonel, One Hundred and Fourth Illinois Infantry.	Apr. 5, 1898	Peach Tree Creek, Ga.	July 20, 1864.....	With conspicuous coolness and bravery rallied his men under a severe attack, reformed the broken ranks, and repulsed the attack.
1359	Harbournie, John H., private, Company K, Twenty-ninth Massachusetts Infantry.	Dec. 1, 1864	Petersburg, Va.....	June 17, 1864.....	Capture of flag.
2006	Hardaway, Benjamin F., first lieutenant, Seventeenth U. S. Infantry.	June 21, 1899	El Caney, Cuba.....	July 1, 1898.....	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy.
1643	Hardenbergh, Henry M., private, Company G, Thirty-ninth Illinois Infantry.	Apr. 6, 1865	Deep Bottom, Va.....	Aug. 16, 1864.....	Capture of flag.
2296	Harding, Mosher A., blacksmith, Company G, Eighth U. S. Cavalry.	Feb. 14, 1870	Chiricahua Mountains, Ariz.	Oct. 20, 1869.....	Gallantry in action.
350	Hardison, Ezra H., private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1873	Harg, Abram P., first lieutenant, Company G, One Hundred and Thirty-second New York Infantry.	June 28, 1890	Bachelors Creek, N. C.	Feb. 1, 1864.....	With a command of 11 men, on picket, resisted the attack of an overwhelming force of the enemy.
2002	Harned, Amos D., corporal, Company K, Two Hundred and Eleventh Pennsylvania Infantry.	May 20, 1865	Petersburg, Va.....	Apr. 2, 1865.....	Capture of flag.
351	Harnon, Charles H., private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.

283	Harmon, Charles L., private, Company C, Twenty-seventh Maine Infantry.	do.	do.	Do.	
323	Harmon, Frank L., second lieutenant, Company A, Twenty-seventh Maine Infantry.	do.	do.	Do.	
354	Harmon, Frederick M., private, Company I, Twenty-seventh Maine Infantry.	do.	do.	Do.	
355	Harmon, Samuel C., corporal, Company C, Twenty-seventh Maine Infantry.	do.	do.	Do.	
356	Harmond, Nelson, private, Company B, Twenty-seventh Maine Infantry.	do.	do.	Do.	
357	Harriman, Aaron, private, Company F, Twenty-seventh Maine Infantry.	do.	do.	Do.	
1400	Harrington, Ephraim W., sergeant, Company G, Second Vermont Infantry.	Dec. 13, 1863	Fredericksburg, Va.	May 3, 1863	Carried the colors to the top of the heights and almost to the muzzle of the enemy's guns.
1001	Harrington, John, private, Company H, Sixth U. S. Cavalry.	Nov. 4, 1874	Washita River, Tex.	Sept. 12, 1874	While carrying dispatches, was attacked by 125 hostile Indians, whom he and his comrades fought throughout the day. Gallantry in action.
2297	Harris, Charles D., sergeant, Company D, Eighth U. S. Cavalry.	Nov. 23, 1869	Red Creek, Ariz.	Sept. 23, 1869	
2298	Harris, David W., private, Company A, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn River, Mont.	June 25, 1876	Brought water to the wounded at great danger to his life, under a most galling fire from the enemy.
1360	Harris, George W., private, Company B, One Hundred and Forty-eighth Pennsylvania Infantry.	Dec. 1, 1864	Spottsylvania, Va.	May 12, 1864	Capture of flag, wresting it from the color bearer and shooting an officer who attempted to regain it.
1843	Harris, James H., sergeant, Company B, Thirty-eighth U. S. C. T.	Feb. 13, 1874	New Market Heights, Va.	Sept. 20, 1864	Gallantry in the assault.
1874	Harris, Moses, first lieutenant, First U. S. Cavalry.	Jan. 23, 1866	Smithfield, Va.	Aug. 26, 1864	In an attack upon a largely superior force his personal gallantry was so conspicuous as to inspire the men to extraordinary efforts, resulting in complete rout of the enemy.
1106	Harris, Sampson, private, Company K, Thirtieth Ohio Infantry.	July 10, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
2299	Harris, William M., private, Company D, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn River, Mont.	June 25, 1876	Voluntarily brought water to the wounded under fire of the enemy.
1496	Hart, John W., sergeant, Company D, Sixth Pennsylvania Reserves.	Aug. 3, 1867	Gettysburg, Pa.	July 2, 1863	Was one of 6 volunteers who charged upon a log house near the Devil's Den, where a squad of the enemy's sharpshooters were sheltered, and compelled their surrender.
2106	Hart, William E., private, Company B, Eighth New York Cavalry.	July 3, 1872	Shenandoah Valley, Va.	1864 and 1865	Gallant conduct and services as scout in connection with capture of the guerrilla Harry Gilmore, and other daring acts.
963	Hartman, John F., colonel, Fourth Pennsylvania Militia.	Aug. 26, 1866	Bull Run, Va.	July 21, 1861	Voluntarily served as an aid and participated in the battle after expiration of his term of service, distinguishing himself in rallying several regiments which had been thrown into confusion.
2200	Hartog, Tobias B., private, Company E, First U. S. Artillery.	Mar. 24, 1861	Wounded Knee Creek, S. Dak.	Dec. 29, 1890	Went to the rescue of the commanding officer, who had fallen severely wounded, picked him up and carried him out of range of the hostile guns.
348	Harvey, Augustus, private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.	do.	See note at end of table.
359	Harvey, Charles A., corporal, Company B, Twenty-seventh Maine Infantry.	do.	do.	do.	Do.
2003	Harvey, Harry, corporal, Company A, Twenty-second New York Cavalry.	Mar. 26, 1865	Waynesboro, Va.	Mar. 2, 1865	Capture of flag and bearer, with two other prisoners.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
360	Harvey, Henry G., first sergeant, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
361	Harvey, John W., private, Company B, Twenty-seventh Maine Infantry.	do.			
1250	Haskell, Frank W., sergeant major, Third Maine Infantry.	Dec. 8, 1868	Fair Oaks, Va.	June 1, 1862	Do. Assumed command of a portion of the left wing of his regiment, all the company officers present having been killed or disabled, led it gallantly across a stream and contributed most effectively to the success of the action. Although wounded and exposed to a heavy fire from the enemy, at the risk of his own life he rescued a badly wounded comrade and succeeded in conveying him to a place of safety. While in command of a squadron in rear guard of a cavalry division then retiring before the advance of a corps of infantry, was attacked by the enemy, and, orders having been given to abandon the guns of a section of field artillery with the rear guard that were in imminent danger of capture, he disregarded the orders received, and aided in repelling the attack and saving the guns. See note at end of table.
1251	Haskell, Marcus M., sergeant, Company C, Thirty-fifth Massachusetts Infantry.	Nov. 18, 1866	Antietam, Md.	Sept. 17, 1862	Do.
1570	Hastings, Smith H., captain, Company M, Fifth Michigan Cavalry.	Aug. 2, 1867	Newbys Cross Roads, Va.	July 24, 1863	Do. Rode through the lines of one of his brigades and encouraged the men to move forward, driving the enemy from his position after a short and desperate conflict; was severely wounded during the action. See note at end of table.
362	Hasty, Granville, private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
363	Hasty, Winfield F., private, Company A, Twenty-seventh Maine Infantry.	do.			
364	Hatch, Elmore J., private, Company E, Twenty-seventh Maine Infantry.	do.			
365	Hatch, James W., private, Company B, Twenty-seventh Maine Infantry.	do.			
1252	Hatch, John P., brigadier general, U. S. Volunteers.	Oct. 28, 1863	South Mountain, Md.	Sept. 14, 1862	Do. Do. Do.
366	Hatch, Joseph E., private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
2201	Haupt, Paul, corporal, Company L, U. S. Cavalry.	Mar. 3, 1870	Holl Canyon, Ariz.	July 3, 1869	Gallantry in action.
2145	Havron, John H., sergeant, Company G, First Rhode Island Light Artillery.	June 16, 1866	Petersburg, Va.	Apr. 2, 1865	Was one of a detachment of 20 picked artillerymen who voluntarily accompanied an infantry assaulting party and who turned upon the enemy the guns captured in the assault. Extinguished an incendiary fire in a quartermaster's warehouse.
975	Hawken, James M., storekeeper, Quartermaster's Department, U. S. A.	Apr. 16, 1867	St. Louis, Mo.	Sept. 5, 1864	When the lines were wavering from the well-directed fire of the enemy, this officer, acting adjutant of the regiment, sprang forward and with encouraging words cheered the soldiers on, and although dangerously wounded, refused to leave the field until the enemy's works were taken.
2106	Hawkins, Gardner C., first lieutenant, Company E, Third Vermont Infantry.	Sept. 30, 1863	Petersburg, Va.	Apr. 2, 1865	

936	Hawkins, Martin J., corporal, Company A, Thirty-third Ohio Infantry.	Sept. —, 1863	Georgia	April, 1862	One of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell), penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta. Rescue of regimental colors from the enemy.
1599	Hawkins, Thomas R., sergeant major, Sixth U. S. C. T.	Feb. 8, 1870	Chapin's farm, Va.	Sept. 29, 1864	Captured the Confederate general, G. W. Custis Lee.
2134	Hawthorne, Harris S., corporal, Company F, One hundred and twenty-first New York Infantry.	Dec. 29, 1864	Sallors Creek, Va.	Apr. 6, 1865	
2202	Hawthorne, Harry L., second lieutenant, Second U. S. Artillery.	Oct. 11, 1862	Wounded Knee Creek, S. Dak.	Dec. 29, 1860	Distinguished conduct in battle with hostile Indians.
2199	Hay, Fred S., sergeant, Company I, Fifth U. S. Infantry.	Apr. 23, 1875	Upper Washita, Tex.	Sept. 9, 1874	Gallantry in action.
367	Hayes, Calvin L., sergeant major, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
368	Hayes, Charles E., private, Company G, Twenty-seventh Maine Infantry.	do.			Do.
369	Hayes, Frederick, second lieutenant, Company D, Twenty-seventh Maine Infantry.	do.			Do.
370	Hayes, George H., corporal, Company G, Twenty-seventh Maine Infantry.	do.			Do.
371	Hayes, John C., private, Company A, Twenty-seventh Maine Infantry.	do.			Do.
372	Hayes, John M., private, Company K, Twenty-seventh Maine Infantry.	do.			Do.
373	Hayes, John W., first sergeant, Company G, Twenty-seventh Maine Infantry.	do.			Do.
374	Hayes, Samuel D., corporal, Company D, Twenty-seventh Maine Infantry.	do.			Do.
2545	Hayes, Webb C., lieutenant colonel, Thirty-first U. S. Volunteer Infantry.	Dec. 17, 1902	Vigan, P. I.	Dec. 4, 1899	Pushed through the enemy's lines alone, during the night, from the beach to the beleaguered force at Vigan, and returned the following morning to report the condition of affairs to the Navy and secure assistance. Capture of flag.
2004	Haynes, Ashbury F., corporal, Company F, Seventeenth Maine Infantry.	May 10, 1865	Sallors Creek, Va.	Apr. 6, 1865	Capture of flag and bearer, Austin's battery (C. S. A.).
2005	Hays, John H., private, Company F, Fourth Iowa Cavalry.	June 17, 1865	Columbus, Ga.	Apr. 16, 1865	Although nearly surrounded by the enemy, captured a Confederate soldier, and with the aid of a comrade who joined him later, captured 4 other Confederates, disarmed the 5, and brought them all into the Union lines.
906	Healey, George W., private, Company E, Fifth Iowa Cavalry.	Jan. 13, 1899	Newnan, Ga.	July 29, 1894	After 2 men had been shot down by the enemy while transmitting orders to the engine room on the Wanderer, the ship having become disabled, this officer took the position held by them and personally transmitted the orders, remaining at his post until the ship was out of danger. Bravery in action.
2607	Heard, John W., first lieutenant, Third U. S. Cavalry.	June 21, 1899	Manimal River, Cuba.	July 23, 1898	
2303	Heartery, Richard, private, Company D, Sixth U. S. Cavalry.	July 20, 1898	Cibola, Ariz.	Aug. 30, 1881	

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1844	Hedges, Joseph, first Lieutenant, Fourth U. S. Cavalry.	Apr. 5, 1868	Near Harpeth River, Tenn.	Dec. 17, 1864	At the head of his regiment, charged a field battery with strong infantry supports, broke the enemy's line and, with other mounted troops, captured 3 guns and many prisoners. When his regiment, greatly reduced in numbers, was surrounded by a Confederate cavalry division, this officer led the column which cut its way through the opposing force, although he was desperately wounded and captured during the action. Bravery in scouts and actions with Indians.
1442	Heermance, William L., captain Company C, Sixth New York Cavalry.	Mar. 30, 1868	Chancellorsville, Va.	Apr. 30, 1863	
882	Hels, Clamor, private, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona	August to October, 1868	
1475	Heller, Henry, sergeant, Company A, Sixty-sixth Ohio Infantry.	July 26, 1862	Chancellorsville, Va.	May 2, 1863	
1107	Helms, David H., private, Company B, Eighty-third Indiana Infantry.	July 26, 1864	Vietsburg, Miss.	May 22, 1863	One of a party of 4 who, under heavy fire, voluntarily brought into the Union lines a wounded Confederate officer from whom was obtained valuable information concerning the position of the enemy. Gallantry in the charge of the "volunteer storming party."
375	Henderson, Alvah, private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2640	Henderson, Joseph. (See Addenda.)				
1768	Henry, Guy V., colonel Fortieth Massachusetts Infantry.	Dec. 5, 1863	Cold Harbor, Va.	June 1, 1864	Led the assaults of his brigade upon the enemy's works, where he had 2 horses shot under him.
1108	Henry, James, sergeant, Company B, One hundred and thirteenth Illinois Infantry.	July 9, 1864	Vietsburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
2428	Henry, John, first sergeant Company I, Third U. S. Cavalry. (See Shingle, 2428.)				(See John H. Shingle.)
1769	Henry, William W., colonel Tenth Vermont Infantry.	Dec. 21, 1862	Cedar Creek, Va.	Oct. 19, 1864	Though suffering from severe wounds, rejoined his regiment and led it in a brilliant charge, recapturing the guns of an abandoned battery.
1722	Herrington, Pitt B., private, Company E, Eleventh Iowa Infantry.	Nov. 27, 1869	Near Kennesaw Mountain, Ga.	June 16, 1864	With 1 companion and under a fierce fire from the enemy at close range, went to the rescue of a wounded comrade who had fallen between the lines and carried him to a place of safety.
1263	Herron, Francis J., lieutenant colonel Ninth Iowa Infantry.	Sept. 26, 1863	Pea Ridge, Ark.	Mar. 7, 1862	Was foremost in leading his men, rallying them to repeated acts of daring, until himself disabled and taken prisoner.
376	Hersom, John H., private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1045	Hesse, John C., corporal, Company A, Eighth U. S. Infantry.	Sept. 10, 1864	San Antonio, Tex.	April, 1861	Preserved and brought away the colors of the Eighth United States Infantry after capture of the regiment.
1516	Hessoline, Francis S., colonel Thirteenth Maine Infantry.	Mar. 2, 1865	Matagorda Bay, Tex.	Dec. 29-30, 1863	In command of a detachment of 100 men, conducted a reconnaissance for 2 days, baffling and beating back an attacking force of more than 1,000 Confederate cavalry, and regained his transport without loss.

2004	Heyl, Charles H., second lieutenant, Twenty-third U. S. Infantry.	Oct. 26, 1897	Near Fort Hartaufl, Nebr.	Apr. 28, 1876	Voluntarily, and with most conspicuous gallantry, charged with 3 men upon 6 Indians who were entrenched upon a hillside. While voluntarily performing picket duty under fire, was attacked and his surrender demanded, but he killed his assailant. Responded to a call for a volunteer to reconnoiter the enemy's position, and went within the enemy's lines under fire and was exposed to great danger.
1476	Hilborn, Joseph C., private Company C, Forty-eighth New York Infantry.	Oct. 23, 1897	Near Fort Wagner, S. C.	July 13, 1863. July 14, 1863. July 18, 1863.	Voluntarily exposed himself with great gallantry during an assault, and received 3 wounds that permanently disabled him for active service.
1375	Hickey, Dennis W., sergeant, Company E, Second New York Cavalry.	Apr. 18, 1891	Stony Creek Bridge, Va.	June 29, 1864.	With a detachment of 3 men, tore up the bridge at Stony Creek, being the last man on the bridge and covering the retreat until he was shot down.
1644	Hickok, Nathan E., corporal, Company A, Eighth Connecticut Infantry.	Apr. 6, 1865	Chapin's farm, Virginia.	Sept. 29, 1864.	Capture of flag.
2006	Higley, Charles, private, Company F, First Pennsylvania Cavalry.	May 3, 1865	Appomattox camp, Va., Virginia.	Mar. 29 to Apr. 9, 1865.	Do.
1163	Higgins, Thomas J., sergeant, Company D, Ninety-ninth Illinois Infantry.	Apr. 1, 1868	Vicksburg, Miss.	May 22, 1863.	This soldier, a color bearer, pressed forward in the assault and planted his flag the parapet of the enemy's works; the regiment having to fall back, he and the colors were captured.
883	Higgins, Thomas P., private, Company D, Eighth U. S. Cavalry.	July 24, 1899	Arizona	August to October, 1868.	Bravery in scout and actions with Indians.
2547	Hill, Frank C. (See Addenda.)	May 12, 1895	Petersburg, Va.	Apr. 2, 1865.	Conspicuous gallantry as color bearer in the assault on Fort Gregg.
1929	Hickland, Patrick, corporal, Company B, Twenty-third Illinois Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
377	Hicks, Albert A., private, Company B, Twenty-seventh Maine Infantry.	do	.....	.....	Do.
378	Hickey, Eben N., private, Company B, Twenty-seventh Maine Infantry.	do	.....	.....	Do.
379	Hill, Albert G., private, Company H, Twenty-seventh Maine Infantry.	do	.....	.....	Do.
380	Hill, Barnabas R., private, Company I, Twenty-seventh Maine Infantry.	do	.....	.....	Do.
381	Hill, Daniel, sergeant, Company C, Twenty-seventh Maine Infantry.	do	.....	.....	Do.
1770	Hill, Edward, captain, Company K, Sixteenth Michigan Infantry.	Dec. 4, 1893	Cold Harbor, Va.	June 1, 1864.	Led the brigade skirmish line in a desperate charge on the enemy's masked batteries, to the muskets of the guns, where he was secured the person of a hostile Apache chief, although, while holding the chief, he was severely wounded in the back by another Indian.
1035	Hill, Frank E., sergeant, Company E, Fifth U. S. Cavalry.	Aug. 12, 1875	Date Creek, Ariz.	Sept. 8, 1872.	See note at end of table.
382	Hill, Frederick R., sergeant, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	This soldier, with one companion, would not retire when his regiment fell back in confusion after an unsuccessful charge, but instead advanced and continued firing upon the enemy until the regiment reformed and regained its position.
1876	Hill, Henry, corporal, Company C, Fiftieth Pennsylvania Infantry.	Sept. 23, 1897	The Wilderness, Va.	May 6, 1864.	Capture of flag, shooting a Confederate officer who was rallying his men with the colors in his hand.
1361	Hill, James S., sergeant, Company C, Fourteenth New York Heavy Artillery.	Dec. 1, 1894	Petersburg, Va.	July 30, 1864.	.....

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1517	Hill, James, first lieutenant, Company I, Twenty-first Iowa Infantry.	Mar. 15, 1893	Champion Hill, Miss.	May 16, 1893	By skillful and brave management captured 3 of the enemy's pickets.
1029	Hill, James M., first sergeant, Company A, Fifth U. S. Cavalry.	Aug. 12, 1875	Turret Mountain, Ariz.	Mar. 26, 1873	Gallantry in action.
383	Hill, John D., major, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
384	Hill, John K., private, Company G, Twenty-seventh Maine Infantry.	do.			Do.
385	Hill, Joseph H., private, Company A, Twenty-seventh Maine Infantry.	do.			Do.
386	Hill, Samuel L., private, Company I, Twenty-seventh Maine Infantry.	do.			Do.
1477	Hilliker, Benjamin F., musician, Company A, Eighth Wisconsin Infantry.	Dec. 17, 1897	Mechanicsburg, Miss.	June 4, 1893	Exchanging his drum for a rifle, he voluntarily joined the skirmish line under fire, and, advancing with it, received a severe wound, which resulted in his permanent disability.
2305	Hilleck, Marvin C., private, Company B, Seventh U. S. Cavalry.	Apr. 16, 1891	Wounded Knee Creek, S. Dak.	Dec. 29, 1890	Distinguished bravery.
1723	Hills, William G., private, Company E, Ninth New York Cavalry.	Sept. 26, 1893	North Fork, Va.	Sept. 26, 1894	Voluntarily carried a severely wounded comrade out of a heavy fire of the enemy.
1600	Hilton, Alfred B., sergeant, Company H, Fourth U. S. C.	Apr. 6, 1865	Chaplin's farm, Virginia.	Sept. 29, 1864	When the regimental color bearer fell, this soldier seized the color and carried it forward, together with the national standard, until disabled at the enemy's inner line.
387	Hilton, Charles A., corporal, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
388	Hilton, John, Jr., private, Company E, Twenty-seventh Maine Infantry.	do.			Do.
2306	Himmettsack, Michael, private, Company C, Second U. S. Cavalry.	June 22, 1870	Little Blue, Nebr.	May 15, 1870	Gallantry in action.
1362	Hincks, William B., sergeant major, Fourteenth Connecticut Infantry.	Dec. 1, 1864	Gettysburg, Pa.	July 3, 1863	Capture of flag of Fourteenth Tennessee Infantry (C. S. A.).
1023	Hinckman, Lehman, sergeant, Company L, First U. S. Cavalry.	Aug. 12, 1875		Winter of 1872-73	Gallant conduct in campaigns and engagements with Apaches.
2007	Hoddy, George, private, Company A, Seventh U. S. Cavalry.	June 22, 1891	Wounded Knee Creek, S. Dak.	Dec. 29, 1890	Conspicuous and gallant conduct in battle.
389	Hodgdon, Flanders, private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
390	Hodgdon, Freeman, private, Company H, Twenty-seventh Maine Infantry.	do.			Do.
391	Hodgdon, Hiram, private, Company A, Twenty-seventh Maine Infantry.	do.			Do.

	do.....				Do.
987	Hodges, Addison J. (See Addenda.)				Capture of flag.
392	Hodsdon, David, private, Company C, Twenty-seventh Maine Infantry.	May 3, 1865	Salvors Creek, Va.....	Apr. 6, 1865	Prevented a retreat of his regiment during the battle.
2007	Hoffman, Henry, corporal, Company M, 2d Ohio Cavalry.	July 19, 1865	Petersburg, Va.....	Apr. 2, 1865	See note at end of table.
2109	Hoffman, Thomas W., captain, company A, Two hundred and Eighth Pennsylvania Infantry.	Jan. 24, 1865			Capture of flag of Sixth Virginia Infantry (C. S. A.).
383	Hogan, Edward W., private, company B, Twenty-seventh Maine Infantry.	Oct. 11, 1864	Front of Petersburg, Va.....	July 30, 1864	Gallantry in actions.
1645	Hogan, Franklin, corporal, company A, Forty-fifth Pennsylvania Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 1876, to Jan. 8, 1877	Carried Lieut. Roney's, who was severely wounded, off the field in battle under heavy fire.
2308	Hogan, Henry, first sergeant, company G, Fifth U. S. Infantry.	June 26, 1864	Bar Paw Mountain, Mont.	Sept. 30, 1877	Distinguished gallantry in actions while attached to Battery B, Fourth U. S. Artillery, lost his left arm at Fredericksburg.
2309	Hogan, Henry, first sergeant, company G, Fifth U. S. Infantry.	June 22, 1891	Annapolis, Md.; Fredericksburg, Va.....	Sept. 17, 1892; Dec. 13, 1892	Capture of Confederate guidon.
1254	Hogarty, William F., private, company D, Twenty-third New York Infantry.	Feb. 22, 1865	Brentwood Hills, Tenn.	Dec. 16, 1864	Brought up ammunition under a galling fire from the enemy.
1646	Holcomb, Daniel I., private, company A, Forty-first Ohio Infantry.	Oct. 5, 1878	Little Big Horn River, Mont.	June 25, 1876	With 1 companion, voluntarily and with conspicuous daring, advanced beyond his regiment, which had been broken in the assault, and fought beneath the crest. Following the example of these 2 men, the colors were brought to the summit, the regiment was advanced, and the position held.
2310	Holden, Hugh, private, company D, Seventh U. S. Cavalry.	Sept. 10, 1897	Marye's Heights, Va.....	May 3, 1893	Gallantry in actions.
1401	Holehouse, James, private, company B, Seventh Massachusetts Infantry.				Voluntarily joined a small party that, under a heavy fire, captured a stockade and saved the bridge.
2211	Holland, David, corporal, Company A, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	October, 1876, to Jan. 8, 1877	Took command of Company C, after all the officers had been killed or wounded, and gallantly led it.
1479	Holland, Lemuel F., corporal, Company D, One hundred and fourth Illinois Infantry.	Oct. 30, 1897	Elk River, Tenn.....	Sept. 29, 1894	Was one of a detachment of 16 men who heroically defended a wagon train against the attack of 125 cavalry; repulsed the attack, and saved the train.
1877	Hollins, Milton M., sergeant major, Fifth U. S. C. T.	Apr. 6, 1865	Chapin's farm, Virginia.	Feb. 15, 1863	Capture of flag of Twenty-seventh Virginia Infantry (C. S. A.).
1461	Holmes, Lovell N., first sergeant, Company H, Second Minnesota Infantry.	Sept. 11, 1897	Nolensville, Tenn.....	Apr. 6, 1865	See note at end of table.
2008	Holmes, William T., private, Company A, Third Indiana Cavalry.	May 3, 1865	Salvors Creek, Va.....		Capture of flag of Fifty-fifth Virginia Infantry (C. S. A.).
394	Holt, Otis C., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Rescued the colors of his regiment, under heavy fire, the color bearer having been shot down while the troops were in retreat.
1423	Holton, Charles M., first sergeant, Company A, Second Michigan Cavalry.	Mar. 21, 1899	Falling Waters, Va.....	July 14, 1893	Fought his way through the enemy's lines with the regimental colors, the rest of the color guard being killed or captured.
1255	Holton, Edward A., first sergeant, Company I, Sixth Vermont Infantry.	July 9, 1892	Lees Mills, Va.....	Apr. 16, 1892	Gallantry in action in which he was killed.
1192	Homan, Edward, color sergeant, Company I, Sixth Vermont Infantry.	June 3, 1896	Near Petersburg, Va.....	July 30, 1894	
1034	Hood, George, private, Company K, Fifth U. S. Cavalry.	Aug. 12, 1875	Tonto Creek, Ariz.....	Jan. 22, 1873	

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1256	Hooker, George W., first lieutenant, Company E, Fourth Vermont Infantry.	Sept. 17, 1891	South Mountain, Md.	Sept. 14, 1862	Rode alone, in advance of his regiment, into the enemy's lines, and, before his own men came up, received the surrender of the major of a Confederate regiment, together with the colors and 110 men. See note at end of table.
305	Hooper, Timothy S., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
2110	Hooper, William B., corporal, Company L, First New Jersey Cavalry.	July 3, 1865	Chamberlains Creek, Va.	Mar. 31, 1865	With the assistance of a comrade, headed off the advance of the enemy, shooting 2 of his color bearers; also posted himself between the enemy and the led horses of his own command, thus saving the herd from capture. See note at end of table.
306	Hooper, William H., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
1086	Hooper, Samuel, bugler, Company A, First U. S. Cavalry.	Aug. 12, 1875	Santa Maria Mountain, Ariz.	May 6, 1875	Gallantry in action; also services as trailer in May, 1872.
1257	Hopkins, Charles F., corporal, Company I, First New Jersey Infantry.	July 9, 1892	Gaines Mill, Va.	June 27, 1862	Voluntarily carried a wounded comrade, under heavy fire, to a place of safety; though twice wounded in the act, he continued in action until again severely wounded. See note at end of table.
307	Hopkins, Jonathan C., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
308	Hopkinson, James M., private, Company C, Twenty-seventh Maine Infantry.	do.....			
918	Hoppy, Edward, second lieutenant, Company C, Twelfth V. R. C.	May 20, 1865		April, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
1424	Horan, Thomas, sergeant, Company E, Seventy-second New York Infantry.	Apr. 5, 1898	Gettysburg, Pa.	July 2, 1863	During a charge of his regiment, captured the flag of the Eighth Florida Infantry (U. S. A.). See note at end of table.
399	Horn, Reuben, private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
400	Horn, Rufus A., private, Company H, Twenty-seventh Maine Infantry.	do.....			
2190	Hornay, Samuel, private, Company H, Second U. S. Cavalry.	Nov. 16, 1876	Sappa Creek, Kans.	Apr. 23, 1875	Gallantry in action.
1913	Horne, Samuel B., captain, Company H, Eleventh Connecticut Infantry.	Nov. 19, 1897	Fort Harrison, Va.	Sept. 29, 1864	While acting as an aide and carrying an important message, was severely wounded and his horse killed, but delivered the order and rejoined his general.
1258	Horsell, William H., drummer, Company G, First Kentucky Infantry.	Aug. 17, 1895	Corinth, Miss.	May 21, 1862	Saved the life of a wounded officer lying between the lines.
1647	Horseline, Solomon J., private, Company C, One hundred and seventh Pennsylvania Infantry.	Feb. 2, 1895	Petersburg & Norfolk R. R., Virginia.	Aug. 19, 1864	Capture of flag belonging to a North Carolina regiment.

1648	Hough, Ira, private, Company E, Eighth Indiana Infantry.	Oct. 26, 1864	Oct., Va.....	Oct. 19, 1864.....	Capture of flag.
2009	Houlton, William M., commissary sergeant, First West Virginia Cavalry.	May 3, 1865	Sallors Creek, Va.....	Apr. 6, 1865.....	Do.
1846	Houghton, Charles H., captain Company L, Fourteenth New York Cavalry.	Apr. 5, 1868	Petersburg, Va.....	July 30, 1864; Mar. 25, 1865.....	In the Union assault at the Crater and in the Confederate assault repelled at Fort Haskell, displayed most conspicuous gallantry and repeatedly exposed himself voluntarily to great danger, was three times wounded, and suffered the loss of a leg. Voluntarily joined a small party that, under a heavy fire, captured a stockade and saved the bridge.
1483	Houghton, George L., private, Company D, One hundred and fourth Illinois Infantry.	Mar. 27, 1900	Elk River, Tenn.....	July 2, 1863.....	While pursuing 1 of the enemy's sharpshooters, came upon 2 others whom he bayoneted in hand-to-hand encounter.
1259	Howard, Henderson C., corporal, Company B, Eleventh Pennsylvania Reserves.	Mar. 30, 1868	Glendale, Va.....	June 30, 1862.....	Scaled the enemy's works, and in a hand-to-hand fight captured a flag.
1425	Howard, Hiram R., private, Company H, Eleventh Ohio Infantry.	July 26, 1862	Missionary Ridge, Va.....	Nov. 25, 1863.....	Carried the colors in advance of the line of battle, the flagstaff being shot off while he was planting it on the parapet of the fort.
1680	Howard, James, sergeant, Company K, One hundred and fifty-eighth New York Infantry.	May 12, 1865	Battery Gregg, near Petersburg, Va.....	Apr. 2, 1865.....	Led the sixty-first New York Infantry in a charge, in which he was twice severely wounded in the right arm, necessitating amputation.
1280	Howard, Oliver O., brigadier general, U. S. Volunteers.	Mar. 28, 1863	Fair Oaks, Va.....	June 1, 1863.....	Voluntarily carried an important message through the heavy fire of the enemy.
1575	Howard, Squire E., first sergeant, Company H, Eighth Vermont Infantry.	Jan. 26, 1864	Bayou Teche, La.....	Jan. 14, 1863.....	A drummer boy, 14 years of age, and severely wounded and exposed to a heavy fire from the enemy, he persistently remained upon the field of battle until he had reported to Gen. W. T. Sherman the necessity of supplying cartridges for the use of troops under command of Col. Malmborg.
1518	Hove, Orion P., musician, Company C, Fifty-fifth Illinois Infantry.	Apr. 23, 1866	Vicksburg, Miss.....	May 19, 1863.....	Served an abandoned gun under heavy fire.
2111	Howe, William H., sergeant, Company K, Twenty-ninth Massachusetts Infantry.	Mar. 8, 1865	Fort Stedman, Va.....	Mar. 25, 1865.....	Bravery in action.
2312	Howze, Robert L., second lieutenant, Company K, Sixth U. S. Cavalry.	July 25, 1861	White River, S. Dak.....	Jan. 1, 1861.....	See note at end of table.
401	Hubbard, Alonzo, private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	do.....	Do.
402	Hubbard, Charles S., private, Company I, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
403	Hubbard, George, private, Company I, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
2313	Hubbard, Thomas, private, Company C, Second U. S. Cavalry.	June 22, 1870	Little Blue, Mo.....	May 15, 1870.....	Gallantry in action.
1807	Hubbell, William S., captain Company A, Twenty-first Connecticut Infantry.	June 13, 1864	Fort Harrison, Va.....	Sept. 30, 1864.....	Led out a small flanking party, and by a dash and at great risk, captured a large number of prisoners.
2010	Hudson, Aaron R., private, Company C, Seventeenth Indiana Mounted Infantry.	June 17, 1865	Culloden, Ga.....	April, 1865.....	Capture of flag of Worrill Grays (C. S. A.).
1026	Huff, James W., private, Company L, First U. S. Cavalry.	Aug. 12, 1875	do.....	Winter of 1872-73.....	Gallant conduct in campaigns and engagements with Apaches.
2314	Huggins, Eli L., captain, Second U. S. Cavalry.	Nov. 27, 1894	O'Fallons Creek, Mont.....	Apr. 1, 1880.....	Surprised the Indians in their strong position and fought them until dark with great boldness.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
2011	Hughes, John, corporal, Company L, Second Ohio Cavalry.	May 3, 1865	Sailors Creek, Va.....	Apr. 6, 1865.....	Capture of flag of Thirty-eighth Virginia Infantry (C. S. A.).
1649	Hughes, Oliver, corporal, Company C, Twelfth Kentucky Infantry.	Aug. 7, 1865	Weldon Railroad, Va.....	June 24, 1864.....	Capture of flag of Eleventh South Carolina (C. S. A.).
2318	Huidkoper, Henry S. (See Addenda.)				
2315	Humphreys, Charles F., first lieutenant, Fourth U. S. Artillery.	Mar. 2, 1897	Clear Water, Idaho.....	July 11, 1877.....	Voluntarily and successfully conducted, in the face of a withering fire, a party which recovered possession of an abandoned howitzer and 2 Gatling guns lying between the lines a few yards from the Indians. Gallantry in actions.
2216	Hunt, Fred O., private, Company A, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	October, 1876, to Jan. 8, 1877.....	Gallantry in the charge of the "volunteer storming party."
1109	Hunt, Lewis T., private, Company H, Sixth Missouri Infantry.	July 12, 1894	Vicksburg, Miss.....	May 22, 1863.....	In the assault on Fort Gregg, bore the regimental flag bravely and was among the foremost to enter the work.
1931	Hunter, Charles A., sergeant, Company E, Thirty-fourth Massachusetts Infantry.	May 12, 1865	Petersburg, Va.....	Apr. 2, 1865.....	While under fire, between the lines of the two armies, voluntarily gave up his own horse to an engineer officer, whom he was so killed, thus enabling the officer to escape with valuable papers in his possession. See note at end of table.
1261	Hunterson, John C., private, Company B, Third Pennsylvania Cavalry.	Aug. 2, 1897	On the Peninsula, Va..	June 5, 1862.....	Distinguished gallantry and conspicuous bravery in action against insurgents.
404	Huntress, John, private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2548	Huntsman, John A., sergeant, Company E, Thirty-sixth U. S. Volunteer Infantry.	Oct. 9, 1892	Near Bambam, Luzon, F. I.	Nov. 9, 1899.....	
405	Hurd, Edwin, private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
406	Hurd, George, private, Company H, Twenty-seventh Maine Infantry.	do.			Do.
407	Hurd, John A., private, Company H, Twenty-seventh Maine Infantry.	do.			Do.
408	Hurd, John H., wagoner, Company D, Twenty-seventh Maine Infantry.	do.			Do.
409	Hurd, Moses S., first lieutenant, Company B, Twenty-seventh Maine Infantry.	do.			Do.
410	Hurd, Nathaniel N., first sergeant, Company D, Twenty-seventh Maine Infantry.	do.			Do.

411	Hurd, Sylvester, private, Company H, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
412	Hurd, Thomas S., private, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
413	Hussey, Luther G., private, Company F, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
414	Hussey, Ralph R., first lieutenant, Company H, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
415	Hutchins, Charles L., corporal, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
416	Hutchins, Erasmus K., private, Company K, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
417	Hutchins, Ezra, private, Company K, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
418	Hutchins, Frank A., captain, Company K, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
419	Hutchins, George, private, Company K, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
420	Hutchins, Octavius, private, Company K, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
421	Hutchins, William H., private, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
2317	Hutchinson, Rufus D., sergeant, Company B, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn River, Mont.	June 25, 1876	Guarded and carried the wounded, brought water for the same, and posted and directed the men in his charge, under galling fire from the enemy.
1110	Hyatt, Theodore, first sergeant, Company D, One hundred and twenty-seventh Illinois Infantry.	July 9, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
1022	Hyde, Henry J., sergeant, Company M, First U. S. Cavalry.	Aug. 12, 1875	.....	Winter of 1872-73	Gallant conduct in campaigns and engagements with Apaches.
1262	Hye, Thomas W., major, Seventh Maine Infantry.	Apr. 8, 1891	Antietam, Md.	Sept. 17, 1862	Led his regiment in an assault on a strong body of the enemy's infantry and kept up the fight until the greater part of his men had been killed or wounded, bringing the remainder safely out of the fight.
1878	Harner, Samuel, captain, Company D, One hundred and fifteenth Illinois Infantry.	Mar. 28, 1866	Buzzard's Roost Gap, Ga.	Oct. 13, 1864	With only 41 men under his command, defended and held a block-house against the attack of Hood's Division for nearly 10 hours, thus checking the advance of the enemy and insuring the safety of the balance of the regiment, as well as that of the Eighth Kentucky Infantry, then stationed at Ringgold, Ga.
1046	Immel, Lorenzo D., corporal, Company F, Second U. S. Artillery.	July 19, 1860	Wilsons Creek, Mo.	Aug. 10, 1861	Bravery in action.
1263	Immel, Lewis, private, Company K, Eighth Vermont Infantry.	Oct. 20, 1899	Boutte Station, La.	Sept. 4, 1862	A railroad train, guarded by about 60 men on flat cars, having been sidetracked by a misplaced switch into an ambuscade of guerrillas who were rapidly shooting down the unprotected guards, this soldier, under a severe fire, by which he was wounded, ran to another switch and opened it, thus enabling the train and the surviving guards to escape.
1264	Incho, Leonidas H., corporal, Company E, Twelfth Ohio Infantry.	Jan. 31, 1864	South Mountain, Md.	Sept. 14, 1862	Alone and unaided and with his left hand disabled, captured a Confederate captain and 4 men.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1519	Irsch, Francis, captain, Company D, Forty-fifth New York Infantry.	May 27, 1862	Gettysburg, Pa.	July 1, 1863.	Gallantry in flanking the enemy and capturing a number of prisoners, and in holding a part of the town against heavy odds while the Army was rallying on Cemetery Hill.
954	Irwin, Bernard J. D., assistant surgeon, U. S. Army.	Jan. 24, 1864	Arizona	Feb. 13-14, 1861.	Voluntarily took command of troops and attacked and defeated the hostile Indians he met on the way.
1846	Irwin, Patrick, first sergeant, Company H, Fourteenth Michigan Infantry.	Apr. 28, 1866	Jonesboro, Ga.	Sept. 1, 1864.	In a charge by the Fourteenth Michigan Infantry against the entrenched enemy, was the first man over the line of works of the enemy, and demanded and received the surrender of a Confederate general officer and his command. See note at end of table.
422	Jackson, Anthony, private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
1265	Jackson, Frederick R., first sergeant, Company F, Seventh Connecticut Infantry.	— — — 1863	James Island, S. C.	June 16, 1862.	Having his left arm shot away, in the charge on the enemy, he continued on duty, taking part in a second and a third charge, until he fell exhausted from loss of blood.
2318	Jackson, James, captain, First U. S. Cavalry.	Apr. 17, 1866	Camas Meadows, Idaho.	Aug. 20, 1877.	Dismounted from his horse, in the face of a heavy fire from pursuing Indians, and with the assistance of 1 or 2 of the men of his command, secured and carried to a place of safety the body of his trumpeter, who had been shot and killed. See note at end of table.
423	Jacobs, Charles, private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Bravery in conducting a scouting party in front of the enemy.
1443	Jacobson, Eugene P., sergeant major, Seventy-fourth New York Infantry.	Mar. 29, 1865	Chancellorsville, Va.	May 2, 1863.	Capture of flag.
2012	James, Isaac, private, Company H, One hundred and tenth Ohio Infantry.	May 10, 1865	Petersburg, Va.	Apr. 2, 1865.	Gallantry in action.
2191	James, John, corporal, Fifth U. S. Infantry.	Apr. 23, 1875	Upper Washita, Tex.	Sept. 9-11, 1874.	Having had his arm mutilated, making immediate amputation necessary, he loaded and discharged his piece with one hand and urged his men forward; this within 30 yards of the enemy's works.
1879	James, Miles, corporal, Company B, Thirty-sixth U. S. C. T.	Apr. 6, 1865	Chapin's farm, Virginia.	Sept. 30, 1864.	Voluntarily went between the lines, under heavy fire, to the assistance of a wounded and helpless officer, whom he carried within the Union lines.
1680	Jamieson, Walter, first sergeant, Company B, One hundred and thirtieth New York Infantry.	Apr. 5, 1868	Petersburg, Va.	July 30, 1864.	Seized the regimental color, the color bearer and guard having been shot down, and rushed forward, planted it upon the fort in full view of the entire brigade.
1111	Jardine, James, sergeant, Company F, Fifty-fourth Ohio Infantry.	Apr. 5, 1864	Fort Harrison, Va.	Sept. 20, 1864.	Gallantry in the charge of the "volunteer storming party."
2319	Jarvis, Frederick, sergeant, Company G, First U. S. Cavalry.	Feb. 14, 1870	Vicksburg, Miss. Chiricahua Moun- tains, Ariz.	May 22, 1863. Oct. 20, 1869.	Gallantry in action.

424	Jefferts, Henry, private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1363	Jellison, Benjamin H., sergeant, Company C, Nineteenth Massachusetts Infantry.	Dec. 1, 1864	Gettysburg, Pa.	July 3, 1863	Capture of flag of Fifty-seventh Virginia Infantry (C. S. A.).
425	Jellison, John W., private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
426	Jellison, Joshua C., private, Company B, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
427	Jellison, William H., private, Company B, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
428	Jenkins, Charles W., sergeant, Company B, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1364	James, James T., private, Company K, Fifty-sixth Pennsylvania Infantry.	Dec. 1, 1864	Weldon Railroad, Va.	Aug. 20, 1864	Capture of flag of Fifty-fifth North Carolina Infantry (C. S. A.).
429	Jannison, Maverick M., sergeant, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table
2549	Jensen, Godfrey. (See Addenda.)	Apr. 24, 1891	Sioux campaign.	December, 1890	Distinguished bravery.
2330	Jeffer, Bernhard, sergeant, Company K, Seventh U. S. Cavalry.	Jan. 24, 1865	.....	.....	See note at end of table.
430	Jewell, Roscoe, private, Company H, Twenty-seventh Maine Infantry.	Sept. 8, 1891	Newport Barracks, N. C.	Feb. 2, 1864	By long and persistent resistance and burning the bridges kept a superior force of the enemy at a distance, and thus covered the retreat of the garrison.
1890	Jewett, Erasmus W., first lieutenant, Company A, Ninth Vermont Infantry.	Apr. 12, 1875	.....	Winter of 1872-73	Gallantry during campaigns and actions with Apaches.
982	John, William, private, Company E, Thirty-seventh Ohio Infantry.	July 14, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
1808	Johnro, Franklin, private, Company A, One hundred and eighteenth New York Infantry.	Apr. 6, 1865	Chaplin's farm, Virginia	Sept. 30, 1864	Capture of 40 prisoners.
1113	Johns, Elisha, corporal, Company B, One hundred and thirteenth Illinois Infantry.	Aug. 9, 1894	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
1494	Johns, Henry T., private, Company C, Forty-ninth Massachusetts Militia Infantry.	Nov. 25, 1893	Port Hudson, La.	May 27, 1863	Volunteered in response to a call, and took part in the movement that was made upon the enemy's works, under a heavy fire therefrom, in advance of the general assault.
1114	Johnson, Andrew, private, Company G, One hundred and sixteenth Illinois Infantry.	Aug. 9, 1894	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
431	Johnson, Daniel E., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
432	Johnson, David E., private, Company H, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
433	Johnson, Edward P., private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1793	Johnson, Follett, corporal, Company H, Sixtieth New York Infantry.	Apr. 6, 1892	New Hope Church, Ga.	May 27, 1864	Voluntarily exposed himself to the fire of a Confederate sharpshooter, thus drawing fire upon himself and enabling his comrade to shoot the sharpshooter.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
2321	Johnson, Henry, sergeant, Company D, Ninth U. S. Cavalry.	Sept. 22, 1890	Milk River, Colo.	Oct. 2-5, 1879	Voluntarily left fortified shelter and, under heavy fire at close range, made the rounds of the pits to instruct the guards; fought his way to the creek and back to bring water to the wounded. See note at end of table.
434	Johnson, Ivory, private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
435	Johnson, John, Jr., private, Company C, Twenty-seventh Maine Infantry.	do.			Do.
1266	Johnson, John, private, Company D, Second Wisconsin Infantry.	Aug. 28, 1863	Fredericksburg, Va.	Dec. 13, 1862	Conspicuous gallantry in battle, in which he was severely wounded. See note at end of table.
436	Johnson, John O., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
1847	Johnson, Joseph E., first lieutenant, Company A, Fifty-eighth Pennsylvania Infantry.	Apr. 1, 1866	Fort Harrison, Va.	Sept. 29, 1864	Though twice severely wounded while advancing in the assault, he disregarded his injuries and was among the first to enter the fort, where he was wounded for the third time. While in command of the regiment, bravely exposed himself to the fire of the enemy, encouraging and cheering his men. Individual bravery and daring in capturing from the enemy 2 colors, receiving in the act a severe wound. See note at end of table.
1444	Johnson, Ruel M., major, One hundredth Indiana Infantry.	Aug. 24, 1866	Chattanooga, Tenn.	Nov. 25, 1863	With 5 other volunteers, gallantly charged on a number of the enemy's sharpshooters concealed in a log house, captured them, and brought them into the Union lines. Gallantry in the charge of the "volunteer storming party."
1267	Johnson, Samuel, private, Company G, Ninth Pennsylvania Reserves.	Sept. 17, 1863	Annetam, Md.	Sept. 17, 1862	Gallantry in actions.
437	Johnson, Solomon, private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
1485	Johnson, Wallace W., sergeant, Company G, Sixth Pennsylvania Reserves.	Aug. 8, 1900	Gettysburg, Pa.	July 2, 1863	While commanding a detachment of 25 men repulsed a force of more than 100 Indians. While commanding the right of a detachment of 19 men, he stubbornly held his ground in an extremely exposed position and gallantly forced back a much superior number of the enemy, preventing them from surrounding the command.
1115	Johnston, David, private, Company K, Eighth Missouri Infantry.	Aug. 16, 1864	Vicksburg, Miss.	May 22, 1863	Do.
2622	Johnston, Edward, corporal, Company C, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	October, 1876, to January, 1877	Do.
2550	Johnston, Gordon. (See Addenda.)				Do.
2503	Johnston, Willie, musician, Company D, Third Vermont Infantry.	Sept. 16, 1863			Do.
1116	Jones, David, private, Company C, Fifty-fourth Ohio Infantry.	June 13, 1864	Vicksburg, Miss.	May 22, 1863	Do.
1365	Jones, William, first sergeant, Company A, Seventy-third New York Infantry.	Dec. 1, 1864	Spottsylvania, Va.	May 12, 1864	Do.
2223	Jones, William H., farrier, Company L, Second U. S. Cavalry.	Feb. 28, 1878	Little Muddy Creek, Mont.	May 7, 1877	Do.
2018	Jordan, A. Bealton, corporal, Company A, Third Indiana Cavalry.	May 3, 1865	Camas Meadows, Idaho Salmon Creek, Va.	Aug. 20, 1877 Apr. 6, 1866	Do.
2324	Jordan, George, sergeant, Company K, Ninth U. S. Cavalry.	May 7, 1890	Fort Tulerose, N. Mex. Carriso Canyon, N. Mex.	May 14, 1880 Aug. 12, 1881	Do.

438	Jordan, George H., sergeant, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
439	Jose, Thomas L., private, Company I, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1426	Josselyn, Simeon T., first lieutenant, Company C, Thirtieth Illinois Infantry.	Apr. 4, 1868	Missionary Ridge, Tenn.	Nov. 25, 1863	While in command of his company deployed as skirmishers, came upon a large body of the enemy, closed upon them and took a number of prisoners. Lieut. Josselyn himself shot the color bearer, seized the flag, and brought it back to his regiment.
1193	Judge, Francis W., first sergeant, Company K, Seventy-ninth New York Infantry.	Nov. 2, 1870	Fort Sanders, Knoxville, Tenn.	Nov. 29, 1863	The color bearer of the Fifty-first Georgia Infantry (C. S. A.), having planted his flag upon the side of the work, Sergt. Judge leaped from his position of safety, sprang upon the parapet, and in the face of a concentrated fire seized the flag and returned with it in safety to the fort.
440	Judge, Patrick, private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1268	Kaiser, John, sergeant, Company E, Second U. S. Artillery.	Apr. 2, 1878	Richmond, Va.	June 27, 1862	Gallant and meritorious service during the 7 days' battles before Richmond, Va.
1651	Kaltenbach, Luther, corporal, Company F, Twelfth Iowa Infantry.	Feb. 24, 1865	Nashville, Tenn.	Dec. 16, 1864	Capture of flag, supposed to be of Fifth Mississippi Infantry (C. S. A.).
1601	Kane, John, corporal, Company K, One hundredth New York Infantry.	May 12, 1865	Petersburg, Va.	Apr. 2, 1865	Gallantry as color bearer in the assault on Fort Gregg.
1427	Kappesser, Peter, private, Company B, One hundred and forty-ninth New York Infantry.	June 26, 1865	Lookout Mountain, Tenn.	Nov. 24, 1863	Capture of Confederate flag (Bragg's Army).
1824	Karpeles, Leopold, sergeant, Company E, Fifty-seventh Massachusetts Infantry.	Apr. 30, 1870	Wilderness, Va.	May 6, 1864	While color bearer, rallied the retreating troops and induced them to check the enemy's advance.
919	Karr, John, first sergeant, Company D, Fourteenth V. R. C.	May 20, 1865	.....	April, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
2014	Kauss, August, corporal, Company H, Fifteenth New York Heavy Artillery.	May 10, 1865	Five Forks, Va.	Apr. 1, 1865	Capture of battle flag.
2325	Kay, John, private, Company L, Eighth U. S. Cavalry.	Mar. 3, 1870	Arizona	Oct. 21, 1868	Brought a comrade, severely wounded, from under the fire of a large party of the enemy.
2326	Keating, Daniel, corporal, Company M, Sixth U. S. Cavalry.	Nov. 19, 1870	Wichita River, Tex.	Oct. 5, 1870	Gallantry in action and in pursuit of Indians.
441	Keay, John F., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
442	Keays, William W., private, Company B, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1914	Keede, Joseph, sergeant major, One hundred and eighty second New York Infantry.	Oct. 25, 1867	North Anna River, Va.	May 23, 1864	Voluntarily and at risk of his life carried orders to the brigade commander which resulted in saving the works his regiment was defending.
443	Keen, Hamden C., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1266	Keen, Joseph S., sergeant, Company D, Thirtieth Michigan Infantry.	Aug. 4, 1869	Near the Chattahoochee River, Ga.	Oct. 1, 1864	While an escaped prisoner of war within the Confederate lines witnessed an important movement of the enemy and at great personal risk made his way through the lines and brought news of the movement to Sherman's army.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
444	Keen, Josiah E., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2227	Keenan, Bartholomew T., trumpeter, Company G, First U. S. Cavalry.	Feb. 14, 1870	Chiricahua Moun- tains, Ariz.	Oct. 20, 1869	Gallantry in action.
884	Keenan, John, private, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona	August to October, 1868.	Bravery in actions and scouts.
445	Keene, Harrison M., first sergeant, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2025	Keene, Joseph, private, Company B, Twentieth New York Infantry.	Dec. 2, 1892	Fredericksburg, Va.	Dec. 13, 1892	Voluntarily seized the colors after several color bearers had been shot down, and led the regiment in the charge.
2008	Keller, William, private, Company F, Tenth U. S. Infantry.	June 22, 1899	Santiago, Cuba	July 1, 1898	Gallantry assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy.
1490	Kelley, Andrew J., private, Company F, Seventeenth Michigan Infantry.	Apr. 17, 1900	Knoxville, Tenn.	Nov. 20, 1863	Having voluntarily accompanied a small party to destroy buildings within the enemy's lines whence sharpshooters had been firing, disregarded an order to retire, remained and completed the firing of the buildings, thus insuring their total destruction; this at the imminent risk of his life from the fire of the advancing enemy.
2228	Kelley, Charles, private, Company G, First U. S. Cavalry.	Feb. 14, 1870	Chiricahua Moun- tains, Ariz.	Oct. 20, 1869	Gallantry in action.
1652	Kelley, George V., captain, Company A, One hundred and fourth Ohio Infantry.	Feb. 13, 1865	Franklin, Tenn.	Nov. 30, 1864	Capture of flag supposed to be of Chestnut's Corps.
1520	Kelley, Leverett M., sergeant, Com- pany A, Thirty-sixth Illinois Infantry.	Apr. 4, 1900	Missionary Ridge, Tenn.	Nov. 25, 1863	Sprang over the works just captured from the enemy, and, calling upon his comrades to follow, rushed forward in the face of a deadly fire and was among the first over the works on the sum- mit, where he compelled the surrender of a Confederate officer and received his sword.
1825	Kelly, Alexander, first sergeant, Com- pany F, Sixth U. S. C.	Apr. 6, 1865	Chapin's farm, Vir- ginia.	Sept. 29, 1864	Gallantry seized the colors, which had fallen near the enemy's line of a dead, raised them and rallied the men at a time of confusion and in a place of the greatest danger.
2015	Kelly, Daniel, sergeant, Company G, Eighth New York Cavalry.	Mar. 26, 1865	Waynesboro, Va.	Mar. 2, 1865	.....
2192	Kelly, John J. H., corporal, Company I, Fifth U. S. Infantry.	Apr. 23, 1875	Upper Washita, Tex.	Sept. 9, 1874	Gallantry in action.
1658	Kelly, Thomas, private, Company A, Sixth New York Cavalry.	Aug. 26, 1864	Front Royal, Va.	Aug. 16, 1864	Capture of flag.
2193	Kelly, Thomas, private, Company I, Fifth U. S. Infantry.	Apr. 23, 1875	Upper Washita, Tex.	Sept. 9, 1874	Gallantry in action.

2009	Kelly, Thomas, private, Company H, Seventh U. S. Inf.	June 22, 1899	Santiago, Cuba.	July 1, 1898	Gallantly assisted in the rescue of the wounded from in front of the lines and while under heavy fire from the enemy.
983	Kelsey, Indian scout.	Apr. 12, 1875	Wilderness, Va.	Winter of 1872-73	Gallantry during the campaigns against Apaches.
1366	Kemp, Joseph, first sergeant, Company D, Fifth Michigan Infantry.	Dec. 1, 1864	Wilderness, Va.	May 6, 1864	Capture of flag of Thirty-first North Carolina (C. S. A.) in a personal encounter.
1446	Kendall, William W., first sergeant, Company A, Forty-ninth Indiana Infantry.	Feb. 12, 1864	Black River Bridge, Miss.	May 17, 1863	Voluntarily led the company in a charge and was the first to enter the enemy's works, taking a number of prisoners.
1881	Kennedy, John, private, Company M, Second U. S. Artillery.	Aug. 19, 1862	Trevilian Station, Va.	June 11, 1864	Remained at his gun, resisting with its implements the advancing cavalry, and thus secured the retreat of his detachment.
2551	Kennedy, John T. (See addenda.)	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876, to Jan. 8, 1877	Gallantry in actions.
2339	Kennedy, Philip, private, Company C, Fifth U. S. Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
446	Kennison, Horace, corporal, Company G, Twenty-seventh Maine Infantry.	Sept. 28, 1867	Trenton, N. C.	May 15, 1862	Voluntarily left a retiring column, returned in face of the enemy's fire, helped a wounded man upon a horse, and so enabled him to escape capture or death.
1270	Kenyon, John S., sergeant, Company D, Third New York Cavalry.	May 3, 1865	Sailors Creek, Va.	Apr. 6, 1865	Capture of battle flag.
2016	Kenyon, Samuel P., private, Company B, Twenty-fourth New York Cavalry.	do.....	do.....	do.....	Capture of battle flag of Fifth Georgia Infantry (C. S. A.).
2017	Keough, John, corporal, Company E, Sixty-seventh Pennsylvania Infantry.	May 13, 1899	Vicksburg, Miss.	May 19, 1893	Voluntarily and at the risk of his life, under a severe fire of the enemy, aided and assisted to the rear an officer who had been severely wounded and left on the field.
1552	Kephardt, James, private, Company C, Thirtieth U. S. Infantry.	Apr. 25, 1891	White River, S. Dak.	Jan. 1, 1891	Distinguished services.
1005	Kerr, John B., captain, Sixth U. S. Cavalry.	June 13, 1894	Moorefield, W. Va.	Aug. 7, 1864	After being most desperately wounded, he captured the colors of a Confederate regiment.
1654	Kerr, Thomas R., captain, Company C, Fourteenth Pennsylvania Cavalry.	Jan. 24, 1865	.....	.....	See note at end of table.
447	Kerr, William, private, Company B, Twenty-seventh Maine Infantry.	Aug. 25, 1870	Wichita River, Tex.	July 12, 1870	Gallantry in action.
2330	Kerrigan, Thomas, sergeant, Company H, Sixth U. S. Cavalry.	Jan. 24, 1865	Lookout Mountain, Tenn.	Nov. 24, 1863	See note at end of table.
448	Kiddler, George E., private, Company H, Twenty-seventh Maine Infantry.	Jan. 12, 1892	Lookout Mountain, Tenn.	Nov. 24, 1863	Waved the colors to save the lives of the men who were being fired upon by their own batteries, and thereby drew upon himself a concentrated fire from the enemy.
1402	Kiggins, John, sergeant, Company D, One hundred and forty-ninth New York Infantry.	Nov. 13, 1871	Whetstone Mountains, Ariz.	May 5, 1871	Gallantry in action.
2552	Kilbourne, Chas. E. (See Addenda.)	Jan. 24, 1865	.....	.....	See note at end of table.
2331	Kilmartin, John, private, Company F, Third U. S. Cavalry.	do.....	.....	.....	Do.
449	Kimball, Alpheus T., private, Company I, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
450	Kimball, Charles, private, Company I, Twenty-seventh Maine Infantry.	May 3, 1865	Sailors Creek, Va.	Apr. 6, 1865	Capture of flag of Sixth North Carolina Infantry (C. S. A.).
451	Kimball, John E. L., surgeon, Twenty-seventh Maine Infantry.	.....	.....	.....	.....
1655	Kimball, Joseph, private, Company B, Second West Virginia Cavalry.	.....	.....	.....	.....

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Date.	Ground of award.
			Place.			
452	Kimball, Lewis, private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865				See note at end of table.
1367	Kindig, John M., corporal, Company A, Sixty-third Pennsylvania Infantry.	Dec. 1, 1864	Spottsylvania, Va.	May 12, 1864		Capture of flag of Twenty-eighth North Carolina Infantry (C. S. A.).
2157	King, Horatio C., major and quartermaster, U. S. Volunteers.	Sept. 23, 1867	Near Dinwiddle Court House, Va.	Mar. 31, 1865		While serving as a volunteer aide, carried orders to the reserve brigade and participated with it in the charge which repulsed the enemy.
1271	King, Rufus, Jr., first lieutenant, Fourth U. S. Artillery.	Apr. 2, 1868	White Oak Swamp Bridge, Va.	June 30, 1862		This officer, when his captain was wounded, succeeded to the command of two batteries while engaged against a superior force of the enemy and fought his guns most gallantly until compelled to retire.
453	King, Thomas J., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865				See note at end of table.
2553	Kinne, J. B. (See Addenda.)	do.				Do.
454	Kirrick, Eben S., private, Company C, Twenty-seventh Maine Infantry.	Mar. 2, 1867	Spottsylvania, Va.	May 12, 1864		Seized the colors, the color bearer having been shot, and with great gallantry succeeded in saving them from capture.
1194	Kinsey, John, corporal, Company B, Forty-fifth Pennsylvania Infantry.	Jan. 31, 1864	Vicksburg, Miss.	May 22, 1863		Seized the colors when the color bearer was killed, and bore them himself in the assault.
1164	Kirby, Dennis T., major, Eighth Missouri Infantry.	Aug. 25, 1870	Wichita River, Tex.	July 12, 1870		Gallantry in action.
2232	Kirk, John, first sergeant, Company L, Sixth U. S. Cavalry.	June 13, 1864	North Anna River, Va.	May 23, 1864		Volunteered for dangerous service and, single handed, captured 13 armed Confederate soldiers and marched them to the rear.
1809	Kirk, Jonathan C., captain, Company F, Twentieth Indiana Infantry.	Oct. 16, 1877	Slim Buttes, S. Dak.	Sept. 9, 1876		Bravely endeavored to dislodge some Sioux Indians secreted in a ravine.
2353	Kirkwood, John A., sergeant, Company M, Third U. S. Cavalry.	Jan. 24, 1865				See note at end of table.
455	Kirwin, James, private, Company F, Twenty-seventh Maine Infantry.	Apr. 23, 1875	Upper Washita, Tex.	Sept. 9, 1874		Gallantry in action.
2194	Kitchen, George K., sergeant, Company H, Sixth U. S. Cavalry.	May 10, 1865	Sailors Creek, Va.	Apr. 6, 1865		Capture of battle flag.
2019	Kline, Henry, private, Company E, Fortieth New York Infantry.	Jan. 15, 1865	Vicksburg, Miss.	May 22, 1863		Carried, with others, by hand, a cannon up to and fired it through an embrasure of the enemy's works.
1070	Kloth, Charles H., private, Chicago Mercantile Battery, Illinois Light Artillery.	July 24, 1869	Arizona	August to October, 1868		Bravery in actions and scouts.
885	Knaak, Albert, private, Company B, Eighth U. S. Cavalry.	July 27, 1866	Petersburg, Va.	July 30, 1864		In company with a sergeant, was the first to enter the exploded mine; was wounded, but took several prisoners to the Federal lines.
1195	Knight, Charles H., corporal, Company I, Ninth New Hampshire Infantry.					

456	Knight, Edward F., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
457	Knight, John H., private, Company C, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
2334	Knight, Joseph F., sergeant, Company F, Sixth U. S. Cavalry.	May 1, 1891	White River, S. Dak.	Jan. 1, 1891	Led the advance in a spirited movement to the assistance of Troop K, Sixth U. S. Cavalry. See note at end of table.
458	Knight, Porter, private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	Do.
459	Knight, Roscoe G., corporal, Company G, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
937	Knight, William, private, Company E, Twenty-first Ohio Infantry.	Sept. —, 1863	Georgia	April, 1862	One of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell), penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta. Removed dead and wounded under heavy fire.
1047	Knowles, Abialther J., private, Company D, Second Maine Infantry.	Dec. 27, 1864	Bull Run, Va.	July 21, 1861	Held his ground with the battery, after the other batteries had fallen back, until compelled to draw his piece off by hand; he was severely wounded.
1521	Knox, Edward M., second lieutenant, Fifteenth New York Battery.	Oct. 18, 1892	Gettysburg, Pa.	July 2, 1863	See note at end of table.
460	Knox, George F., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	Do.
461	Knox, Hosea B., corporal, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
2198	Knox, John W., corporal, Company I, Fifth U. S. Infantry.	Apr. 23, 1875	Upper Wachita, Tex.	Sept. 9, 1874	Gallantry in action.
2198	Koelbin, William, sergeant, Company I, Fifth U. S. Inf.	do.....	do.	do.	Do.
2020	Koogle, Jacob, first lieutenant, Company G, Seventh Maryland Infantry.	May 10, 1865	Five Forks, Va.	Apr. 1, 1865	Capture of battle flag.
984	Koscho, Indian scout.	Apr. 12, 1876	.....	Winter of 1872-73	Gallantry during the campaign against Apaches.
1522	Kounts, John S., musician, Company G, Thirty-seventh Ohio Infantry.	Aug. 13, 1895	Missionary Ridge, Tenn.	Nov. 25, 1863	Seized a musket and joined in the charge, in which he was severely wounded.
1810	Kramer, Theodore L., private, Company G, One hundred and eighty-eighth Pennsylvania Infantry.	Apr. 6, 1865	Chapin's farm, Virginia	Sept. 28, 1864	Took one of the first prisoners, a captain.
2335	Kreher, Wendelin, first sergeant, Company C, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876, to Jan. 8, 1877	Gallantry in actions.
1073	Kretsinger, George, private, Chicago Mercantile Battery, Illinois Light Artillery.	July 20, 1897	Vicksburg, Miss.	May 21, 1863	Carried, with others, by hand, a cannon up to and fired it through an embrasure of the enemy's works.
2021	Kuder, Andrew, second lieutenant, Company G, Eighth New York Cavalry.	Mar. 26, 1865	Waynesboro, Va.	Mar. 2, 1865	Capture of flag.
1656	Kuder, Jeremiah, lieutenant, Company A, Seventy-fourth Indiana Infantry.	Apr. 7, 1895	Jonesboro, Ga.	Sept. 1, 1864	Capture of flags of Eighth and Nineteenth Arkansas (C. S. A.).
2336	Kyle, John, corporal, Company M, Fifth U. S. Cavalry.	Aug. 24, 1899	Near Republican River, Kans.	July 8, 1869	This soldier and 2 others were attacked by 8 Indians, but beat them off and badly wounded two of them.
1117	Labill, Joseph S., private, Company C, Sixth Missouri Infantry.	Aug. 14, 1894	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
2135	Ladd, George, private, Company H, Twenty-second New York Cavalry.	Mar. 26, 1865	Waynesboro, Va.	Mar. 2, 1865	Captured a standard bearer, his flag, horse, and equipments.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1848	Laing, William, sergeant, Company F, One hundred and fifty-eighth New York Infantry.	Apr. 6, 1865	Chaplin's farm, Virginia	Sept. 29, 1864.	Was among the first to scale the parapet; was mortally wounded.
958	Lambert, William H., first lieutenant and adjutant, Twenty-seventh New Jersey Infantry.	May 11, 1867			Offered his services to the Government and remained in service several weeks after his term of enlistment had expired—during Lee's invasion of Pennsylvania.
462	Lampkin, Gilman H., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2022	Lands, James P., chief bugler, First Pennsylvania Cavalry.	May 3, 1865	Paines Cross Roads, Va.	Apr. 5, 1865.	Capture of flag.
463	Lane, George, private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2023	Lane, Morgan D., private, Signal Corps, U. S. A.	Mar. 16, 1866	Near Jetersville, Va.	Apr. 6, 1865.	Capture of flag of gunboat Nansemond.
2024	Lanfare, Aaron S., first lieutenant, Company B, First Connecticut Cavalry.	May 3, 1865	Sailors Creek, Va.	do.	Capture of flag of Eleventh Florida Infantry (C. S. A.).
2495	Langbein, J. C., Julius, musician, Company B, Ninth New York Infantry.	Jan. 7, 1865	Camden, N. C.	Apr. 19, 1862.	A drummer boy, 15 years of age, he voluntarily and under a heavy fire, went to the aid of a wounded officer, procured medical assistance for him and aided in carrying him to a place of safety.
2025	Larimer, Smith, corporal, Company G, Second Ohio Cavalry.	May 3, 1865	Sailors Creek, Va.	Apr. 6, 1865.	Capture of flag of Gen. Kershaw's headquarters.
2337	Larkin, David, farrier, Company F, Fourth U. S. Cavalry.	Nov. 19, 1872	Red River, Tex.	Sept. 29, 1872.	Gallantry in action.
464	Larrabee, Edward N., private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
11118	Larrabee, James W., corporal, Company I, Fifty-fifth Illinois Infantry.	Sept. 2, 1863	Vicksburg, Miss.	May 22, 1863.	Gallantry in the charge of the "volunteer storming party."
886	Lawrence, James, private, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona	August to October, 1868.	Bravery in actions and scouts against Indians.
465	Lawry, Franklin E., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1563	Lawson, Gaines, first sergeant, Company D, Fourth East Tennessee Infantry.	June 11, 1866	McMinnville, Tenn.	Oct. 3, 1863.	Went to the aid of a wounded comrade between the lines and carried him to a place of safety.
1771	Lawton, Henry W., captain, Company A, Thirtieth Indiana Infantry.	May 22, 1863	Atlanta, Ga.	Aug. 3, 1864.	Led a charge of skirmishers against the enemy's rifle pits, and stubbornly and successfully resisted two determined attacks of the enemy to retake the works.
2338	Lawton, John S., sergeant, Company D, Fifth U. S. Cavalry.	June 7, 1880	Milk River, Colo.	Sept. 29, 1879.	Coolness and steadiness under fire; volunteered to accompany a small detachment on a very dangerous mission.

2601	Lawton, Louis B., first lieutenant, Ninth U. S. Infantry.	Mar. 11, 1902	Tientsin, China.	July 13, 1900	Carried a message and guided reinforcements across a wide and fire-swept space; was twice wounded.
2654	Leahy, Cornelius J., private, Company A, Thirty-sixth U. S. Volunteer Infantry.	May 3, 1902	Near Porac, Luzon, P. I.	Sept. 3, 1899	Gallantry in driving off the assistance of a comrade, bringing from the field of action the bodies of 2 comrades, one killed and the other severely wounded.
466	Learned, Peter, private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
467	Leavett, Henry, sergeant, Company C, Twenty-seventh Maine Infantry.	do.			See note at end of table.
2610	Lee, Fitz, private, Troop M, Tenth U. S. Cavalry.	June 22, 1899	Tsayabaco, Cuba.	June 20, 1898	Voluntarily went ashore in the face of the enemy and aided in the rescue of his wounded comrades: this after several previous attempts at rescue had been frustrated.
1033	Lonihan, James, private, Company K, Fifth U. S. Cavalry.	Apr. 12, 1875	Clear Creek, Ariz.	Jan. 2, 1873	Gallantry in action.
1794	Leonard, Edwin, sergeant, Company A, Thirty-seventh Massachusetts Infantry.	Aug. 16, 1894	Near Petersburg, Va.	June 18, 1894	Voluntarily exposed himself to the fire of a Union brigade to stop their firing on the Union skirmish line.
2339	Leonard, Patrick, corporal, Company A, Twenty-third U. S. Infantry.	Aug. 26, 1876	Near Fort Hartsuff, Nebr.	Apr. 28, 1876	Gallantry in charge on hostile Sioux.
2340	Leonard, Patrick, sergeant, Company C, Second U. S. Cavalry.	June 22, 1870	Little Blue, Nebr.	May 15, 1870	Gallantry in action.
2341	Leonard, William, private, Company L, Second U. S. Cavalry.	Aug. 8, 1877	Muddy Creek, Mont.	May 7, 1877	Bravery in action.
1657	Leonard, William E., private, Company F, Eighty-fifth Pennsylvania Infantry.	Apr. 6, 1865	Deep Bottom, Va.	Aug. 16, 1864	Capture of battle flag.
960	Lepout, William T., sergeant, Company K, Twenty-seventh New Jersey Infantry.	Aug. 4, 1868		June 17, 1863	Offered his services to the Government and remained in service several weeks after his term of enlistment had expired.
1653	Leslie, Frank, private, Company B, Fourth New York Cavalry.	Aug. 26, 1864	Front Royal, Va.	Aug. 15, 1864	Capture of colors of Third Virginia Infantry (C. S. A.).
1772	Levy, Benjamin, musician, Company G, First New York Infantry.	Mar. 1, 1865	Glendale, Va.	June 30, 1862	This soldier, a drummer boy, took the gun of a sick comrade, went into the fight, and when the color bearers were shot down, carried the colors and saved them from capture.
1773	Lewis, De Witt Clinton, captain, Company F, Ninety-seventh Pennsylvania Infantry.	Apr. 23, 1866	Secessionville, S. C.	June 16, 1862	While retreating with his men before a heavy fire of canister shot at short range, returned in the face of the enemy's fire and rescued an exhausted private of his company, who, but for this timely action, would have lost his life by drowning in the morass through which the troops were retreating.
464	Lewis, Gilman, private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
920	Lewis, Rufus W., first sergeant, Company E, Eighteenth V. R. C.	May 20, 1865		April, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
2146	Lewis, Samuel E., corporal, Company G, First Rhode Island Light Artillery.	June 16, 1866	Petersburg, Va.	Apr. 2, 1865	Was one of a detachment of 20 picked artillerymen who voluntarily accompanied an infantry assaulting party and who turned upon the enemy the guns captured in the assault.
2242	Lewis, William B., sergeant, Company B, Third U. S. Cavalry.	Mar. 28, 1879	Bluff Station, Wyo.	Jan. 20-22, 1877	Bravery in skirmish.
1774	Libaire, Adolphe, captain, Company E, Ninth New York Infantry.	Apr. 2, 1868	Antietam, Md.	Sept. 17, 1862	In the advance on the enemy, and after his color bearer and the entire color guard of 8 men had been shot down, this officer seized the regimental flag and with conspicuous gallantry carried it to the extreme front, urging the line forward.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
469	Libbey, Aaron R., private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
470	Libbey, Arthur, corporal, Company H, Twenty-seventh Maine Infantry.	do.	.....	.....	Do.
471	Libbey, Benjamin F., private, Company A, Twenty-seventh Maine Infantry.	do.	.....	.....	Do.
472	Libbey, Charles G., private, Company A, Twenty-seventh Maine Infantry.	do.	.....	.....	Do.
473	Libbey, Fred. W., corporal, Company A, Twenty-seventh Maine Infantry.	do.	.....	.....	Do.
474	Libbey, George H., private, Company C, Twenty-seventh Maine Infantry.	do.	.....	.....	Do.
475	Libbey, Philander H., corporal, Company B, Twenty-seventh Maine Infantry.	do.	.....	.....	Do.
476	Libbey, Samuel H., first lieutenant, Company A, Twenty-seventh Maine Infantry.	do.	.....	.....	Do.
2026	Lilley, John, private, Company F, Two hundred and fifth Pennsylvania Infantry.	May 20, 1865	Petersburg, Va.	Apr. 2, 1865	Capture of battle flag.
1882	Little, Henry F. W., sergeant, Company D, Seventh New Hampshire Infantry.	Jan. 14, 1870	Near Richmond, Va.	September, 1864	Gallantry on the skirmish line.
387	Little, James bugler, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona	August to October, 1868	Bravery in actions and scouts against Indians.
477	Littledale, Charles H., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
478	Littledale, Emmerson, private, Company I, Twenty-seventh Maine Infantry.	do.	.....	.....	Do.
479	Littledale, Franklin, private, Company G, Twenty-seventh Maine Infantry.	do.	.....	.....	Do.
480	Littledale, George, private, Company F, Twenty-seventh Maine Infantry.	do.	.....	.....	Do.
1882	Littledale, George H., corporal, Company G, First Maine Infantry.	June 22, 1865	Fort Fisher, Va.	Mar. 25, 1865	The color sergeant having been wounded, this soldier picked up the flag and bore it to the front, to the great encouragement of the charging column.

481	Littlefield, Henry, second lieutenant, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
482	Littlefield, James H., private, Company B, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
483	Littlefield, Jedidiah, sergeant, Company B, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
484	Littlefield, John, private, Company G, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
485	Littlefield, John T., private, Company F, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
486	Littlefield, Joseph F., private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
487	Littlefield, Joshua D., private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
488	Littlefield, Josias, private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
489	Littlefield, Ralph, private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
490	Littlefield, Reuben O., private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
491	Littlefield, Thaddeus, private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1724	Livingston, Josiah O., first lieutenant and adjutant, Ninth Vermont Infantry.	Sept. 8, 1861	Newport Barracks, N. C.	Feb. 2, 1864	When, after desperate resistance, the smallarrison had been driven back to the river by a vastly superior force, this officer, while a small force held back the enemy, personally fired the railroad bridge, and although wounded himself, assisted a wounded officer over the burning structure. Capture of a Confederate flag.
2027	Locke, Lewis, private, Company A, First New Jersey Cavalry.	May 3, 1865	Farmers Cross Roads, Va.	Apr. 5, 1865	See note at end of table.
492	Loeb, Thomas D., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	Most distinguished gallantry in leading his battalion upon the intrenchments of the enemy, on which occasion he fell, mortally wounded.
2455	Logan, John A., major Thirty-third U. S. Volunteer Infantry.	May 3, 1902	San Jacinto, P. I.	Nov. 11, 1900	Gallantry in defending Government property against Indians.
2112	Lohmes, Francis W., private, Company H, First Nebraska Veteran Cavalry.	July 24, 1865	Gilman's ranch, Nebraska.	May 12, 1865	See note at end of table.
493	Lombard, Osbight A., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	Gallantry in the recapture of 4 guns and the capture of 2 additional guns from the enemy; also the capture of a number of prisoners. Having been directed to order a troop of Cavalry to advance, and finding both its officers killed, he voluntarily assumed command, and, under a heavy fire from the Indians, advanced the troop to its proper position.
1678	Lorgan, John, captain Company A, Thirtieth Vermont Infantry.	Oct. 28, 1863	Gettysburg, Pa.	July 2, 1863	
2243	Log, Oscar F., second lieutenant, Fifth U. S. Infantry.	Mar. 22, 1865	Bear Paw Mountain, Mont.	Sept. 30, 1877	

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
494	Lougee, Lorenzo J., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2556	Longfellow, Richard M. (See Addenda.)	.....	.....	.....	.....
1119	Longshore, William H., private, Company D, Thirtieth Ohio Infantry.	Aug. 10, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
495	Lord, Charles E., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
496	Lord, Edward, private, Company H, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
497	Lord, Ezekiel S., private, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
498	Lord, George A., private, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
499	Lord, John W., private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
500	Lord, Lyman, private, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
501	Lord, Timothy H., sergeant, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1725	Lord, William, musician, Company C, Fortieth Massachusetts Infantry.	Apr. 4, 1868	Drewrys Bluff, Va.	May 16, 1864	Picked up a wounded and helpless officer from between the lines and, under fire from both sides, carried him to the field hospital.
1659	Lorish, Andrew J., commissary sergeant, Nineteenth New York Cavalry (First New York Dragoons).	Sept. 27, 1864	Winchester, Va.	Sept. 19, 1864	Capture of Confederate flag.
502	Loud, Elbridge, private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1660	Love, George M., colonel One hundred and sixteenth New York Infantry.	Mar. 6, 1865	Cedar Creek, Va.	Oct. 19, 1864	Capture of battle flag of Second South Carolina (C. S. A.).
1523	Lovering, George M., first sergeant, Company I, Fourth Massachusetts Infantry.	Nov. 19, 1891	Port Hudson, La.	June 14, 1863	During a momentary confusion in the ranks caused by other troops rushing upon the regiment, this soldier, with coolness and determination, rendered efficient aid in preventing a panic among the troops.
503	Lowell, John H., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
504	Lowell, Moses, private, Company A, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1883	Lower, Cyrus B., private, Company K, Thirteenth Pennsylvania Reserve.	July 20, 1867	Wilderness, Va.	May 7, 1864	Gallant services and soldierly qualities in voluntarily rejoicing his command after having been wounded.
1120	Lower, Robert A., private, Company K, Fifty-fifth Illinois Infantry.	Sept. 2, 1868	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
2198	Lowthers, James, private, Company H, Sixth U. S. Cavalry.	Nov. 16, 1876	Sappa Creek, Kans.	Apr. 23, 1876	Bravery in action.

2244	Loyd, George, sergeant, Company I, Seventh U. S. Cavalry.	Apr. 16, 1891	Wounded Kneecreek, S. Dak.	Dec. 29, 1890	Bravery, especially after having been severely wounded through the lung.
2028	Loyd, George, private, Company A, One hundred and twenty-second Ohio Infantry.	May 10, 1865	Petersburg, Va.	Apr. 2, 1865	Capture of division flag of Gen. Heth.
1811	Lucas, George W., private, Company C, Third Missouri Cavalry.	Dec. —, 1864	Benton, Ark.	July 25, 1864	Pursued and killed the Confederate Brig. Gen. George M. Holt, Arkansas Militia, capturing his arms and horse.
1726	Luce, Moses A., sergeant, Company E, Fourth Michigan Infantry.	Feb. 7, 1865	Laurel Hill, Va.	May 10, 1864	Voluntarily returned, in the face of the advancing enemy, to the assistance of a wounded and helpless comrade and carried him, at imminent peril, to a place of safety.
2172	Ludgate, William, captain, Company G, Fifty-ninth New York Veteran Infantry.	Aug. 10, 1899	Farmville, Va.	Apr. 7, 1865	Gallantry and promptness in rallying his men and advancing with a small detachment, to save a bridge about to be fired by the enemy.
1196	Ludwig, Carl, private, Thirty-fourth New York Battery.	July 30, 1896	Petersburg, Va.	June 13, 1864	As gunner of his piece, indicated singly a great loss upon the enemy and distinguished himself in the removal of the piece while under a heavy fire.
1602	Lunt, Alphonso M., sergeant, Company F, Thirty-eighth Massachusetts Infantry.	May 10, 1894	Opequan Creek, Va.	Sept. 19, 1864	Carried his flag to the most advanced position where, left almost alone close to the enemy's lines, he refused their demand to surrender, withdrew at great personal peril, and saved his flag. See note at end of table.
503	Lunt, John W., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Petersburg, Va.	Mar. 31, 1865	Capture of flag of Forty-first Alabama Infantry (C. S. A.), together with the color bearer and 1 of the color guard.
2029	Lutes, Franklin W., corporal, Company D, One hundred and eleventh New York Infantry.	Apr. 3, 1865	Petersburg, Va.	May 3, 1863	Among the first to jump into the enemy's rifle pits, he himself captured and brought out 3 prisoners.
1524	Luther, James H., private, Company D, Seventh Massachusetts Infantry.	June 28, 1890	Fredericksburg, Va.	May 3, 1863	Bravely advanced to the enemy's line under heavy fire and brought back valuable information. See note at end of table.
1525	Luty, Gottlieb, corporal, Company A, Seventy-fourth New York Infantry.	Oct. 5, 1876	Chancellorsville, Va.	Sept. 19, 1864	In an attempt to capture a Confederate flag he captured one of the enemy's officers and brought him within the lines.
506	Lydston, Charles, private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Winchester, Va.	May 9-11, 1864	Carried important dispatches from the President to Gen. Grant, passing through the enemy's country, escaping capture, delivered his messages, and returned to Washington with replies thereto.
1661	Lyman, Joel H., quartermaster sergeant, Company B, Ninth New York Cavalry.	Aug. 20, 1894	Winchester, Va.	Oct. 19, 1864	With one companion captured the flag of a Confederate regiment, three officers, and an ambulance with its mules and driver. Services against hostile Indians.
1012	Lynch, John B., private, Company D, Third Indiana Cavalry.	Dec. 7, 1871	Fredericksburg, Va.	Nov. 23, 1863	Gallantry in charge on hostile Sioux.
2557	Lyon, Edward E. (See addenda.)	Nov. 26, 1864	Cedar Creek, Va.	June 25, 1876	Seized the colors of his regiment at a critical moment and planted them on the captured works on the crest of Missionary Ridge.
1662	Lyon, Frederick A., corporal, Company A, First Vermont Cavalry.	Apr. 12, 1875	Near Fort Selden, N. Mex.	1872 and 1873	With three comrades, during the entire engagement, courageously held a position that secured water for the command.
1041	Lytle, Leonidas S., sergeant, Company C, Eighth U. S. Cavalry.	Aug. 26, 1876	Near Fort Hartsuff, Nebr.	May 6, 1900	Gallant services in campaigns against the Apache Indians. Charged an occupied bastion, saving the life of an officer in a hand-to-hand combat and destroying the enemy.
1403	Lyttton, Jephtha L., corporal, Company A, Twenty-third U. S. Infantry.	June 30, 1890	Missionary Ridge, Tenn.		
2346	MacArthur, Arthur, Jr., first lieutenant and adjutant, Twenty-fourth Wisconsin Infantry.	Oct. 5, 1878	Little Big Horn, Mont.		
985	Machlin, Henry W. B., blacksmith, Company H, Seventh U. S. Cavalry.	Apr. 12, 1875	Arizona		
2558	Machol, private, Indian Scouts.	Mar. 11, 1902	Hilongas, Leyte, P. I.		
	Macley, William P., private, Company A, Forty-third U. S. Volunteer Infantry.				

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
494	Longee, Lorenzo I., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2556	Longfellow, Richard M. (See addenda.)	.....	.....	.....	.....
1119	Longshore, William H., private, Company D, Thirtieth Ohio Infantry.	Aug. 10, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
495	Lord, Charles E., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
496	Lord, Edward, private, Company H, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
497	Lord, Ezekiel S., private, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
498	Lord, George A., private, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
499	Lord, John W., private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
500	Lord, Lyman, private, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
501	Lord, Timothy H., sergeant, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1725	Lord, William, musician, Company C, Fortieth Massachusetts Infantry.	Apr. 4, 1868	Drewrys Bluff, Va.	May 16, 1864	Picked up a wounded and helpless officer from between the lines and, under fire from both sides, carried him to the field hospital.
1659	Lorish, Andrew J., commissary sergeant, Nineteenth New York Cavalry (First New York Dragoons).	Sept. 27, 1864	Winchester, Va.	Sept. 19, 1864	Capture of Confederate flag.
502	Loud, Ellbridge, private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1660	Love, George M., colonel One hundred and sixteenth New York Infantry.	Mar. 6, 1865	Cedar Creek, Va.	Oct. 19, 1864	Capture of battle flag of Second South Carolina (C. S. A.).
1523	Lovering, George M., first sergeant, Company I, Fourth Massachusetts Infantry.	Nov. 19, 1861	Port Hudson, La.	June 14, 1863	During a momentary confusion in the ranks caused by other troops rushing upon the regiment, this soldier, with coolness and determination, rendered efficient aid in preventing a panic among the troops.
503	Lowell, John H., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
504	Lowell, Moses, private, Company A, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1863	Lower, Cyrus B., private, Company K, Thirtieth Pennsylvania Reserves.	July 20, 1867	Wilderness, Va.	May 7, 1864	Gallant services and soldierly qualities in voluntarily rejoicing his command after having been wounded.
1120	Lower, Robert A., private, Company K, Fifty-fifth Illinois Infantry.	Sept. 2, 1868	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
2106	Lowthers, James, private, Company H, Sixth U. S. Cavalry.	Nov. 16, 1876	Sapping Creek, Kans.	Apr. 23, 1875	Bravery in action.

2044	Loyd, George, sergeant, Company I, Seventh U. S. Cavalry.	Apr. 16, 1891	Wounded Kneecreek, S. Dak.	Dec. 29, 1890	Bravery, especially after having been severely wounded through the lung.
2028	Loyd, George, private, Company A, Ohio Infantry, hundred and twenty-second	May 10, 1865	Petersburg, Va.	Apr. 2, 1865	Capture of division flag of Gen. Heth.
1811	Lucas, John W., private, Company C, Third Missouri Cavalry.	Dec. —, 1864	Benton, Ark.	July 25, 1864	Pursued and killed the Confederate Brig. Gen. George M. Holt, Arkansas Militia, capturing his arms and horse.
1726	Luce, Moses A., sergeant, Company E, Fourth Michigan Infantry.	Feb. 7, 1865	Laurel Hill, Va.	May 10, 1864	Voluntarily returned, in the face of the advancing enemy, to the assistance of a wounded and helpless comrade and carried him, at imminent peril, to a place of safety.
2172	Ludgate, William, captain, Company G, Fifty-ninth New York Veteran Infantry.	Aug. 10, 1899	Farmville, Va.	Apr. 7, 1865	Gallantry and prominence in rallying his men and advancing, with a small detachment, to save a bridge about to be fired by the enemy.
1196	Ludwig, Carl, private, Thirty-fourth New York Battery.	July 30, 1896	Petersburg, Va.	June 18, 1864	As gunner of his piece, inflicted singly a great loss upon the enemy and distinguished himself in the removal of the piece while under a heavy fire.
1002	Lunt, Alphonso M., sergeant, Company F, Thirty-eighth Massachusetts Infantry.	May 10, 1894	Opquan Creek, Va.	Sept. 19, 1864	Carried his flag to the most advanced position where, left almost alone close to the enemy's lines, he refused their demand to surrender, withdrew at great personal peril, and saved his flag. See note at end of table.
595	Lunt, John W., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Petersburg, Va.	Mar. 31, 1865	Capture of flag of Forty-first Alabama Infantry (C. S. A.), together with the color bearer and 1 of the color guard.
2029	Lutes, Franklin W., corporal, Company D, One hundred and eleventh New York Infantry.	Apr. 3, 1865	Petersburg, Va.	May 3, 1863	Among the first to jump into the enemy's rifle pits, he himself captured and brought out 3 prisoners.
1524	Luther, James H., private, Company D, Seventh Massachusetts Infantry.	June 28, 1890	Fredericksburg, Va.	May 3, 1863	Bravely advanced to the enemy's line under heavy fire and brought back valuable information. See note at end of table.
1525	Luty, Gottlieb, corporal, Company A, Seventy-fourth New York Infantry.	Oct. 5, 1876	Chancellorsville, Va.	Sept. 19, 1864	In an attempt to capture a Confederate flag he captured one of the enemy's officers and brought him within the lines.
506	Lydston, Charles, private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Winchester, Va.	May 8-11, 1864	Carried important dispatches from the President to Gen. Grant, passing through the enemy's country, escaping capture, delivered his messages, and returned to Washington with replies thereon.
1661	Lyman, Joel H., quartermaster, sergeant, Company B, Ninth New York Cavalry.	Aug. 20, 1894	Fredericksburg, Va.	Oct. 19, 1864	With one companion captured the flag of a Confederate regiment, three officers, and an ambulance with its mules and driver. Services against hostile Indians.
1012	Lynch, John B., private, Company D, Third Indiana Cavalry.	Dec. 7, 1871	Fredericksburg, Va.	July 8-11, 1873	Gallantry in charge on hostile Sioux.
2557	Lyon, Edward E. (See addenda.)	Nov. 26, 1864	Cedar Creek, Va.	Apr. 28, 1876	Seized the colors of his regiment at a critical moment and planted them on the captured works on the crest of Missionary Ridge.
1662	Lyon, Frederick A., corporal, Company A, First Vermont Cavalry.	Apr. 12, 1875	Near Fort Selden, N. Mex.	June 25, 1876	With three comrades, during the entire engagement, courageously held a position that secured water for the command.
1041	Lytle, Leonidas S., sergeant, Company C, Eighth U. S. Cavalry.	Aug. 26, 1876	Near Fort Hartsum, N. Mex.	1872 and 1873	Gallant services in campaigns against the Apache Indians.
1403	Lytton, Jephtha L., corporal, Company A, Twenty-third U. S. Infantry.	June 30, 1890	Missionary Ridge, Tenn.	May 6, 1900	Charged an occupied position, saving the life of an officer in a hand-to-hand combat and destroying the enemy.
2446	MacArthur, Arthur, Jr., first lieutenant and adjutant, Twenty-fourth Wisconsin Infantry.	Oct. 5, 1873	Little Big Horn, Mont.		
985	MacInn, Henry W. B., blacksmith, Company H, Seventh U. S. Cavalry.	Apr. 12, 1875	Arizona		
2558	MacInch, private, Indian Scouts.	Mar. 11, 1902	Hilongas, Leyte, P. I.		
	MacLay, William P., private, Company A, Forty-third U. S. Volunteer Infantry.				

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1048	Madden, Michael, private, Company K, Forty-second New York Infantry.	Apr. 14, 1898	Masons Island, Md.	Sept. 3, 1891	Assisted a wounded comrade to the river bank, and, under fire of the enemy, swam with him across a branch of the Potomac to the Union lines.
507	Maddox, John F., wagoner, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1895			See note at end of table.
1849	Magee, William, drummer, Company C, Thirty-third New Jersey Infantry.	Feb. 7, 1896	Murfreesboro, Tenn.	Dec. 5, 1894	In a charge was among the first to reach a battery of the enemy and, with one or two others, mounted the artillery horses and took 2 guns into the Union lines.
508	Magrath, George, private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1895			See note at end of table.
2347	Mahers, Herbert, private, Company F, Eighth U. S. Cavalry.	Mar. 3, 1870	Seneca Mountain, Ark.	Aug. 25, 1869	Gallantry in action.
1002	Mahoney, Gregory, private, Company E, Fourth U. S. Cavalry.	Oct. 13, 1875	Near Red River, Tex.	Sept. 26-28, 1874	Gallantry in attack on a large party of Chayennes.
1197	Mahoney, Jeremiah, sergeant, Company A, Twenty-ninth Massachusetts Infantry.	Dec. 1, 1894	Fort Sanders, Knoxville, Tenn.	Nov. 29, 1893	Capture of flag of Seventh Mississippi Infantry (C. S. A.).
1063	Mandy, Harry J., first sergeant, Company B, Fourth New York Cavalry.	Aug. 26, 1894	Front Royal, Va.	Aug. 15, 1894	Capture of flag of Third Virginia Infantry (C. S. A.).
2080	Mangan, Richard C., private, Company H, One hundred and forty-eighth New York Infantry.	Sept. 21, 1898	Hatchers Run, Va.	Apr. 2, 1895	Capture of flag of the Eighth Mississippi Infantry (C. S. A.).
509	Manning, George F., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1895			See note at end of table.
1198	Manning, Joseph S., private, Company K, Twenty-ninth Massachusetts Infantry.	Dec. 1, 1894	Fort Sanders, Knoxville, Tenn.	Nov. 29, 1893	Capture of flag of Sixteenth or Eighteenth Georgia Infantry (C. S. A.).
510	Manson, Albert, private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1895			See note at end of table.
511	Manson, Charles H., sergeant, Company C, Twenty-seventh Maine Infantry.	do.			Do.
512	Manson, Edwin R., private, Company A, Twenty-seventh Maine Infantry.	do.			Do.
513	Manson, Horatio, private, Company G, Twenty-seventh Maine Infantry.	do.			Do.
514	Manson, John S., private, Company I, Twenty-seventh Maine Infantry.	do.			Do.
515	Manson, John W., private, Company B, Twenty-seventh Maine Infantry.	do.			Do.

1571	Marland, William, first lieutenant, Second Independent Battery, Massachusetts Light Artillery.	Feb. 16, 1867	Grand Coteau, La.	Nov. 3, 1863	After having been surrounded by the enemy's cavalry, his support having surrendered, he ordered a charge and saved the section of the battery that was under his command.
2031	Marquette, Charles, sergeant, Company F, Ninety-third Pennsylvania Infantry.	May 10, 1865	Petersburg, Va.	Apr. 2, 1865	Capture of flag.
516	Marr, Cyrus G., commissary sergeant, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	do.....	See note at end of table.
517	Marriner, James S., private, company C, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
1368	Marsh, Albert, sergeant, Company B, Sixty-fourth New York Infantry.	Dec. 1, 1864	Spottsylvania, Va.	May 12, 1864	Capture of flag.
1664	Marsh, Charles H., private, Company D, First Connecticut Cavalry.	Jan. 23, 1865	Back Creek Valley, Va.	July 31, 1864	Capture of flag and its bearer.
1446	Marsh, George, sergeant, Company D, One hundred and fourth Illinois Infantry.	Sept. 17, 1867	Elk River, Tenn.	July 2, 1863	Voluntarily led a small party and, under a heavy fire, captured a stockade and saved the bridge.
921	Marshall, A. Judson, first sergeant, Company K, Ninth V. R. C.	May 20, 1865	do.....	April, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
518	Marsden, Charles N., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	do.....	See note at end of table.
519	Martin, Frank W., musician, Company B, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
520	Martin, John, corporal, Company C, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
521	Martin, Lyman R., private, company E, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
1037	Martin, Patrick, sergeant, Company G, Fifth U. S. Cavalry.	Apr. 12, 1875	Castle Dome and Santa Maria Mountains, Ariz.	June and July, 1873	Gallant services in operations of Capt. James Burns, Fifth U. S. Cavalry.
1884	Martin, Sylvester H., lieutenant, Company K, Eighty-eighth Pennsylvania Infantry.	Apr. 5, 1864	Weldon Railroad, Virginia.	Aug. 19, 1864	Gallantly made a most dangerous reconnaissance, discovering the position of the enemy and enabling the division to repulse an attack made in strong force.
522	Mason, Albert D., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	do.....	See note at end of table.
938	Mason, Elliot H., sergeant, Company K, Twenty-first Ohio Infantry.	Mar. 25, 1863	Georgia.	April, 1862	One of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell), penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta.
523	Mason, Joseph T., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	do.....	See note at end of table.
2550	Mathews, George W., assistant surgeon, Thirty-sixth U. S. Volunteer Infantry.	Mar. 14, 1902	Near Labeo, Luzon, P. I.	Oct. 29, 1899	While in attendance upon the wounded and under a severe fire from the enemy, seized a machine and beat off an attack upon wounded officers and men under his charge.
1202	Mathews, William H., first sergeant, Company E, Second Maryland Veteran Infantry. (See Sivel, Henry.)	July 10, 1866	Petersburg, Va.	July 30, 1864	Finding himself among a squad of Confederates, he fired into them, killing one, and was himself wounded, but succeeded in bringing in a sergeant and two men of the Seventeenth South Carolina Regiment as prisoners. (This soldier served under the name of Henry Sivel.)
2248	Matthews, David A., corporal, Company E, Eighth U. S. Cavalry.	Sept. 6, 1899	Arizona.	1898 and 1899	Bravery in actions and scouts against Indians.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1833	Matthews, John C., corporal, Company A, Sixty-first Pennsylvania Infantry.	Feb. 13, 1861	Petersburg, Va.	Apr. 2, 1865	Voluntarily took the colors, whose bearer had been disabled, and, although himself severely wounded, carried the same until the enemy's works were taken.
2032	Matthews, Milton, private, Company C, Sixty-first Pennsylvania Infantry.	May 10, 1865	do.	Apr. 2, 1865	Capture of flag of Seventh Tennessee Infantry (C. S. A.).
1665	Mattingly, Henry B., private, Company B, Tenth Kentucky Infantry.	Apr. 7, 1865	Jonesboro, Ga.	Sept. 1, 1864	Capture of flags of Sixth and Seventh Arkansas Infantry (C. S. A.).
2173	Mattocks, Charles P., major, Seventeenth Maine Infantry.	Mar. 29, 1869	Sailors Creek, Va.	Apr. 6, 1865	Displayed extraordinary gallantry in leading a charge of his regiment, which resulted in the capture of a large number of prisoners and a stand of colors.
2349	Maus, Marlon P., first lieutenant, First U. S. Infantry.	Nov. 27, 1864	Sierra Madre Mountains, Mexico.	Jan. 11, 1866	Most distinguished gallantry in action with hostile Apaches led by Geronimo and Natchez.
1404	Maxham, Lowell M., corporal, Company F, Seventh Massachusetts Infantry.	Aug. 24, 1866	Fredericksburg, Va.	May 3, 1863	Though severely wounded, and in face of a deadly fire from the enemy at short range, he rushed bravely forward and was among the first to enter the enemy's works on the crest of Maryes Heights, and helped to plant his regimental colors there.
2350	May, John, sergeant, Company L, Sixth U. S. Cavalry.	Aug. 25, 1870	Wichita River, Tex.	July 12, 1870	Gallantry in action.
1686	May, William, private, Company H, Thirty-second Iowa Infantry.	Feb. 24, 1865	Nashville, Tenn.	Dec. 16, 1864	Ran ahead of his regiment over the enemy's works and captured from its bearer the flag of Bonaparte's Confederate battery.
1369	Mayberry, John B., private, Company F, First Delaware Infantry.	Dec. 1, 1864	Gettysburg, Pa.	July 3, 1863	Capture of flag.
1727	Mayes, William B., private, Company K, Eleventh Iowa Infantry.	Nov. 27, 1869	Near Kennesaw Mountain, Ga.	June 15, 1864	With one companion, and under a fierce fire from the enemy at close range, went to the rescue of a wounded comrade who had fallen between the lines and carried him to a place of safety.
1275	Maynard, George H., private, Company D, Thirteenth Massachusetts Infantry.	Apr. 1, 1868	Fredericksburg, Va.	Dec. 13, 1862	A wounded and helpless comrade, having been left on the skirmish line, this soldier voluntarily returned to the front under a severe fire and carried the wounded man to a place of safety.
2604	Mays, Isaiah, corporal, Company B, Twenty-fourth U. S. Infantry.	Feb. 19, 1860	Arizona.	May 11, 1860	Gallantry in the fight between Paymaster Wham's escort and robbers.
1564	McAdams, Peter, corporal, Company A, Ninety-eighth Pennsylvania Infantry.	Apr. 1, 1868	Salem Heights, Va.	May 3, 1863	Went in front of his regiment 250 yards and, under fire, brought within the lines a comrade who was wounded and unconscious.
1865	McAlwee, Benjamin F., sergeant, Company D, Third Maryland Infantry.	Apr. 4, 1868	Petersburg, Va.	July 20, 1864	Picked up a shell with burning fuse and threw it over the parapet into the ditch, where it exploded; by this act he probably saved the lives of comrades at the great peril of his own.
1886	McAnally, Charles, lieutenant, Company D, Sixty-ninth Pennsylvania Infantry.	Aug. 2, 1867	Spottsylvania, Va.	May 12, 1864	In a hand-to-hand encounter with the enemy, captured a flag, was wounded in the act, but continued on duty until he received a second wound.
888	McBride, Bernard, private, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona.	August to October, 1868	Bravery in action and scouts against Indians.

2351	McBryar, William, sergeant, Company K, Tenth U. S. Cavalry.	May 15, 1860	do.....	Mar. 7, 1860	Bravery in action with Apache Indians.
1061	McBee, Will U. S. Cavalry. Company E, Fourth U. S. Cavalry.	Oct. 13, 1875	Near Red River, Tex.	Sept. 26-28, 1874	Gallantry in attack on a large party of Cheyennes.
922	McCarthy, A. Ninth U. S. Cavalry. Company A, Ninth U. S. Cavalry.	May 20, 1865	Corinth, Miss.	April, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
276	McCammon, William W., lieutenant, Company E, Twenty-fourth Missouri Infantry.	July 9, 1866	Corinth, Miss.	Oct. 3, 1862	While on duty as provost marshal, voluntarily assumed command of his company, then under fire, and so continued in command until the repulse and retreat of the enemy on the following day, the loss to his company during the battle being very great.
2362	McCaun, Bernard, private, Company F, Twenty-second U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876, to Jan. 8, 1877	Gallantry in action.
1370	McCarren, Edward, private, Company C, First Delaware Infantry.	Dec. 1, 1864	Gettysburg, Pa.	July 3, 1863	Capture of flag.
2363	McCarthy, Michael, first sergeant, Troop H, First U. S. Cavalry.	Nov. 20, 1867	White Bird Canyon, Idaho.	June 17, 1877	Was detailed with 6 men, to hold a commanding position, and held it with great gallantry until the troops fell back. He then fought his way through the Indians, rejoined a portion of his command, and continued the fight in retreat. He had 2 horses shot under him and was captured, but escaped and reported for duty after 3 days' hiding and wandering in the mountains.
1964	McCaullin, Joseph, private, Company D, Twelfth West Virginia Infantry.	May 12, 1865	Petersburg, Va.	Apr. 2, 1865	Conspicuous gallantry as color bearer in the assault on Fort Gregg.
1667	McCarthy, Charles H., first lieutenant, Company C, Seventy-second Ohio Infantry.	Feb. 24, 1865	Nashville, Tenn.	Dec. 16, 1864	Capture of flag of Fourth Florida Infantry (C. S. A.).
1121	McClelland, James M., private, Company B, Thirtieth Ohio Infantry.	Aug. 13, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
2364	McClernand, Edward F., second lieutenant, Second U. S. Cavalry.	Nov. 27, 1864	Bear Paw Mountain, Mont.	Sept. 30, 1877	Gallantly attacked a band of hostiles and conducted the combat with excellent skill and boldness.
2590	McConnell, James, private, Company B, Thirty-third U. S. Volunteer Infantry.	Oct. 1, 1902	Vigan, Luzon, P. I.	Dec. 4, 1899	Fought for hours, lying between 2 dead comrades, notwithstanding his hat was pinned, his clothing plowed through by bullets, and his face cut and bruised by flying gravel.
2063	McConnell Samuel, captain, Company H, One hundred and nineteenth Illinois Infantry.	June 8, 1865	Fort Blakely, Ala.	Apr. 9, 1865	Capture of flag.
2365	McCormick, Michael, private, Company G, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876, to Jan. 8, 1877	Gallantry in actions.
1122	McCormack, Andrew, private, Company I, One hundred and twenty-seventh Illinois Infantry.	Jan. 10, 1865	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
524	McCulloch, Adam, Jr., private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2366	McDonald, Franklin M., private, Company G, Eleventh U. S. Infantry.	Aug. 31, 1872	Near Fort Griffin, Tex.	Aug. 5, 1872	Gallantry in defeating Indians who attacked the mail.
2034	McDonald, George E., private, Company L, First Connecticut Heavy Artillery.	July 21, 1865	Fort Steadman, Va.	Mar. 25, 1865	Capture of flag.
889	McDonald, James, corporal, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona.....	August to October, 1868	Bravery in actions and scouts against Indians.
1277	McDonald, John Wade, private, Company E, Twentieth Illinois Infantry.	Aug. 27, 1900	Pittsburg Landing, Tenn.	Apr. 6, 1862	Was severely wounded while endeavoring, at the risk of his life, to carry to a place of safety a wounded and helpless comrade.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
2357	McDonald, Robert, first lieutenant, Fifth U. S. Infantry.	Nov. 27, 1894	Wolf Mountain, Mont.	Jan. 8, 1877.	Led his command in a successful charge against superior numbers of hostile Indians, strongly posted.
2035	McElhinny, Samuel O., private, Company A, Second West Virginia Cavalry.	May 3, 1865	Sailors Creek, Va.	Apr. 6, 1865.	Capture of flag.
1614	McEnroe, Patrick H., sergeant, Company D, Sixth New York Cavalry.	Sept. 27, 1864	Winchester, Va.	Sept. 19, 1864.	Capture of colors of Thirty-sixth Virginia Infantry (C. S. A.).
1199	McFall, Daniel, sergeant, Company E, Seventeenth Michigan Infantry.	July 27, 1866	Spottsylvania, Va.	May 12, 1864.	Captured the colonel commanding the Confederate brigade that charged the Union batteries; on the same day rescued an officer of his regiment from the enemy.
2358	McGann, Michael A., first sergeant, Company F, Third U. S. Cavalry.	Aug. 9, 1880	Rosebud River, Mont.	June 17, 1876.	Gallantry in actions.
2359	McGar, Owen, private, Company C, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876, to Jan. 8, 1877.	Gallantry in the charge of the "volunteer storming party."
1123	McGinn, Edward, private, Company F, Fifty-fourth Ohio Infantry.	June 28, 1894	Vicksburg, Miss.	May 22, 1863.	Do.
1124	McGonagle, Wilson, private, Company B, Thirtieth Ohio Infantry.	Aug. 15, 1894	do.....	do.....	Do.
1887	McGonnigle, Andrew J., captain and assistant quartermaster, U. S. Volunteers.	July 21, 1897	Cedar Creek, Va.	Oct. 19, 1864.	While acting chief quartermaster of Gen. Sheridan's forces operating in the Shenandoah Valley, was severely wounded while voluntarily leading a brigade of infantry, and was commended for the greatest gallantry by Gen. Sheridan.
1049	McGough, Owen, corporal, Battery D, Fifth U. S. Artillery.	Aug. 28, 1897	Bull Run, Va.	July 21, 1861.	Through his personal exertions under a heavy fire, one of the guns of his battery was brought off the field; all the other guns were lost.
2561	McGrath, Hugh J., captain, Fourth U. S. Cavalry.	Apr. 29, 1902	Calamba, Luzon, P. I.	July 26, 1899.	Swam the San Juan River in the face of the enemy's fire and drove him from his entrenchments.
2113	McGraw, Thomas, sergeant, Company B, Twenty-third Illinois Infantry.	May 12, 1895	Petersburg, Va.	Apr. 2, 1865.	One of the 3 soldiers most conspicuous for gallantry in the final assault.
525	McGuire, Charles, private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1071	McGuire, Patrick, private, Chicago Mercantile Battery, Illinois Light Artillery.	Jan. 15, 1865	Vicksburg, Miss.	May 22, 1863.	Carried, with others, by hand, a cannon up to and fired it through an embrasure of the enemy's works.
1668	McHale, Alexander U., corporal, Company C, Twenty-sixth Michigan Infantry.	Jan. 11, 1900	Spottsylvania Court House, Va.	May 12, 1864.	Captured a Confederate color in a charge, threw the flag over in front of the works, and continued in the charge upon the enemy.
2360	McHugh, John, private, Company A, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876, to Jan. 8, 1877.	Gallantry in actions.
526	McIntire, Henry, private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.

1728	McKay, Charles W., sergeant, Company C, One-hundred and fifty-fourth New York Infantry.	Apr. 13, 1864	Dug Gap, Ga.	May 8, 1864.	Voluntarily risked his life in rescuing, under the fire of the enemy, a wounded comrade who was lying between the lines.
1835	McKee, George, color sergeant, Company D, Eighty-ninth New York Infantry.	May 12, 1865	Petersburg, Va.	Apr. 2, 1865	Gallantry as color bearer in the assault on Fort Gregg.
1778	McKeen, Nineveh S., first lieutenant Company H, Twenty-first Illinois Infantry.	June 23, 1860	Stone River, Tenn.	Dec. 30, 1862.	Conspicuous in the charge, where he was three times wounded. Captured colors of Eighth Arkansas Infantry (C. S. A.).
1836	McKever, Michael, private, Company K, Fifth Pennsylvania Cavalry.	Aug. 2, 1867	Burnt Ordinary, Va.	Jan. 19, 1863.	Was one of a small scouting party that charged and routed a mounted force of the enemy six times their number. He led the charge in a most gallant and distinguished manner, going far beyond the call of duty.
527	McKenney, Abner, private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
528	McKenney, Benjamin R., private, Company K, Twenty-seventh Maine Infantry.	do.			Do.
529	McKenney, Charles F., private, Company H, Twenty-seventh Maine Infantry.	do.			Do.
530	McKenney, Enoch, private, Company H, Twenty-seventh Maine Infantry.	do.			Do.
890	McKinley, Daniel, private, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona	August to October, 1868.	Bravery in actions and scouts against Indians.
1609	McKown, Nathaniel A., sergeant, Company B, Fifty-fourth Pennsylvania Infantry.	Apr. 6, 1865	Chapin's farm, Virginia	Sept. 29, 1864.	Capture of flag.
531	McLaughlin, Tannis, private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2361	McLennan, John, musician, Company A, Seventh U. S. Infantry.	Dec. 2, 1878	Big Hole, Mont.	Aug. 9, 1877	Gallantry in action.
2362	McLoughlin, Michael, sergeant, Company A, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876, to Jan. 8, 1877.	Do.
1279	McMahon, Martin T., captain and A. D. C., U. S. Volunteers.	Mar. 10, 1861	White Oak Swamp, Va.	June 30, 1862.	Under fire of the enemy successfully destroyed a valuable train that had been abandoned and prevented it from falling into the hands of the enemy.
2363	McMasters, Henry A., corporal, Company A, Fourth U. S. Cavalry.	Nov. 19, 1872	Red River, Tex.	Sept. 29, 1872.	Gallantry in action.
2364	McMillan, Albert W., sergeant, Company E, Seventh U. S. Cavalry.	June 23, 1861	Wounded Knee Creek, S. Dak.	Dec. 29, 1860.	While engaged with Indians concealed in a ravine, he assisted the men on the skirmish line, directed their fire, encouraged them by example, and used every effort to dislodge the enemy.
2036	McMillen, Francis M., sergeant, Company C, One hundred and tenth Ohio Infantry.	May 10, 1865	Petersburg, Va.	Apr. 2, 1865	Capture of flag.
2365	McNally, James, first sergeant, Company E, Eighth U. S. Cavalry.	Sept. 6, 1869	Arizona	1868 and 1869.	Bravery in actions and scouts against Indians.
2366	McNamara, William, first sergeant, Company F, Fourth U. S. Cavalry.	Nov. 19, 1872	Red River, Tex.	Sept. 29, 1872.	Gallantry in action.
2367	McPhelan, Robert, sergeant, Company E, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876, to Jan. 8, 1877.	Gallantry in actions.
891	McVeigh, Charles H., private, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona	August to October, 1868.	Bravery in actions and scouts against Indians.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1428	McVean, John P., corporal, Company D, Forty-ninth New York Infantry.	Sept. 21, 1870	Fredericksburg Heights, Va.	May 4, 1863	Shot a Confederate color bearer and seized the flag; also approached alone a barn between the lines and demanded and received the surrender of a number of the enemy there-in.
2037	McWhorter, Walter F., commissary sergeant, Company E, Third West Virginia Cavalry.	May 3, 1865	Sallors Creek, Va.	Apr. 6, 1865	Capture of flag of Sixth Tennessee Infantry (C. S. A.).
1670	Mead, George E., farrier, Company I, Sixth New York Cavalry.	Sept. 27, 1864	Winchester, Va.	Sept. 19, 1864	Capture of flag.
1772	Meagher, Thomas, first sergeant, Company G, One hundred and fifty-eighth New York Infantry.	Apr. 6, 1865	Chapin's farm, Virginia	Sept. 29, 1864	Led a section of his men on the enemy's works, receiving a wound while scaling a parapet.
2368	Meagher, Nicholas, corporal, Company G, First U. S. Cavalry.	Feb. 14, 1870	Chulcahus Mountains, Ariz.	Oct. 20, 1869	Gallantry in action.
532	Mealy, John, private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1487	Mears, George W., sergeant, Company A, Sixth Pennsylvania Reserves.	Feb. 16, 1867	Gettysburg, Pa.	July 2, 1863	With five volunteers he gallantly charged on a number of the enemy's sharpshooters concealed in a log house, captured them, and brought them into the Union lines.
2038	Mentor, John W., sergeant, Company D, Fifth Michigan Infantry.	May 10, 1865	Sallors Creek, Va.	Apr. 6, 1865	Capture of flag.
2158	Merriam, Henry C., lieutenant colonel, Seventy-third U. S. C.	June 28, 1864	Fort Blakely, Ala.	Apr. 9, 1865	Volunteered to attack the enemy's works in advance of orders, and, upon permission being given, made a most gallant assault.
1671	Merrifield, James K., corporal, Company C, Eighty-eighth Illinois Infantry.	Mar. 28, 1866	Franklin, Tenn.	Nov. 30, 1864	Captured 2 battle flags from the enemy and returned with them to his own lines.
2156	Merrill, Augustus, captain Company B, First Maine Veteran Infantry.	Oct. 23, 1861	Petersburg, Va.	Apr. 2, 1865	With 6 men, captured 69 Confederate prisoners, and recapturing several soldiers who had fallen into the enemy's hands.
533	Merrill, Charles H., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
534	Merrill, Frederick A., private, Company C, Twenty-seventh Maine Infantry.	do.			Do.
2159	Merrill, George. (See Addenda.)				
2269	Merrill, John, sergeant, Company F, Fifth U. S. Cavalry.	June 7, 1860	Milk River, Colo.	Sept. 20, 1879	Though painfully wounded, he remained on duty and rendered gallant and valuable service.
535	Merrill, Jonas F., private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
536	Merrill, Samuel, private, Company C, Twenty-seventh Maine Infantry.	do.			Do.
1650	Merritt, John G., sergeant, Company K, First Minnesota Infantry.	Apr. 1, 1880	Bull Run, Va.	July 21, 1861	Gallantry in action; was wounded in advance of his regiment.

1729	Meyer, Henry C., captain Company D, Twenty-fourth New York Infantry.	Mar. 29, 1890	Petersburg, Va.	June 17, 1864	During an assault and in the face of a heavy fire, rendered heroic assistance to a wounded and helpless officer, thereby saving his life, and in the performance of this gallant act sustained a severe wound. See note at end of table.
537	Mildram, Frank S., private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
538	Miles, George S., private, Company A, Twenty-seventh Maine Infantry.	do.			
1337	Miles, Nelson A., colonel Sixty-first New York Infantry.	July 23, 1892	Chancellorsville, Va.	May 2 and 3, 1863.	Distinguished gallantry while holding, with his command, an advanced position against repeated assaults by a strong force of the enemy; was severely wounded. See note at end of table.
539	Miles, Thomas P., corporal, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
2662	Miller, Archie. (See Addenda.)	do.			
540	Miller, Caleb L., private, Company F, Twenty-seventh Maine Infantry.	Nov. 13, 1871	Whetstone Mountains, Ariz.	May 5, 1871.	Gallantry in action.
2370	Miller, Daniel H., private, Company F, Third United States Cavalry.	Apr. 24, 1865	Sallors Creek, Va.	Apr. 6, 1865.	Capture of flag of Twenty-fifth Battalion Virginia Infantry (C. S. A.); was taken prisoner, but successfully retained his trophy until recaptured.
2039	Miller, Frank, private, Company M, Second New York Cavalry.	Apr. 24, 1865			Gallantry in actions.
2371	Miller, George, corporal, Company H, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876, to Jan. 8, 1877.	Bravery in actions and scouts against Indians.
892	Miller, George W., private, Company B, Eighth U. S. Cavalry.	July 24, 1899	Arizona.	August to October, 1868.	Capture of flag.
2040	Miller, Henry A., captain, Company B, Eighth Illinois Infantry.	June 8, 1865	Fort Blakely, Ala.	Apr. 9, 1865.	Gallantry in the charge of the "volunteer storming party."
1125	Miller, Jacob C., private, Company G, One hundred and thirteen Illinois Infantry.	Aug. 20, 1894	Vicksburg, Miss.	May 22, 1863.	
2041	Miller, James P., private, Company D, Fourth Iowa Cavalry.	June 17, 1865	Selma, Ala.	Apr. 2, 1865.	Capture of standard of Twelfth Mississippi Cavalry (C. S. A.).
2042	Miller, John, private, Company H, Eighth New York Cavalry.	Mar. 26, 1865	Waynesboro, Va.	Mar. 2, 1865.	Capture of flag.
1371	Miller, John, corporal, Company G, Eighth Ohio Infantry.	Dec. 1, 1864	Gettysburg, Pa.	July 3, 1863.	Capture of two flags.
541	Miller, Mark, private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1447	Miller, William E., captain, Company H, Third Pennsylvania Cavalry.	July 21, 1867	Gettysburg, Pa.	July 3, 1863.	Without orders, led a charge of his squadron upon the flank of the enemy, checked his attack, and cut off and dispersed the rear of his column. See note at end of table.
542	Millerken, William, Jr., first lieutenant, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
543	Miliken, Charles H., private, Company E, Twenty-seventh Maine Infantry.	do.			Do.
544	Miliken, John S., private, Company A, Twenty-seventh Maine Infantry.	do.			Do.
545	Miliken, Moses S., private, Company F, Twenty-seventh Maine Infantry.	do.			Do.
546	Miliken, Nathaniel M., private, Company F, Twenty-seventh Infantry.	do.			Do.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
2611	Mills, Albert L., captain and assistant adjutant general, U. S. Volunteers.	July 9, 1902	Near Santiago de Cuba.	July 1, 1898	Distinguished gallantry in encouraging those near him by his bravery and coolness after being shot through the head and entirely without sight. See note at end of table.
547	Mills, Ellihu J., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
1280	Mills, Frank W., sergeant, Company C, First New York Mounted Rifles.	Apr. 2, 1868	Sandy Cross Roads, N. C.	Sept. 4, 1862	
965	Mindil, George W., colonel, Twenty-seventh New Jersey Infantry.	Feb. 10, 1887		June 17, 1863	While scouting, this soldier, in command of an advance of but 3 or 4 men, came upon the enemy and charged them without orders, the rest of the troops following, the whole force of the enemy, 120 men, being captured. Volunteered the services of his regiment and continued it in service several weeks after its term had expired.
2605	Mindil, George W., captain, Company I, Sixty-first Pennsylvania Infantry.	Oct. 25, 1863	Williamsburg, Va.	May 5, 1862	As aid-de-camp led the charge with a part of a regiment, pierced the enemy's center, silenced some of his artillery, and, getting in his rear, caused him to abandon his position.
1672	Mitchell, Alexander H., first lieutenant, Company A, One hundred and fifth Pennsylvania Infantry.	Mar. 27, 1880	Spottsylvania, Va.	May 12, 1864	Capture of flag of Eighteenth North Carolina Infantry (C. S. A.), in a personal encounter with the color bearer.
548	Mitchell, Charles H., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
549	Mitchell, Deodat, private, Company F, Twenty-seventh Maine Infantry.	do			Do.
550	Mitchell, Edwin, private, Company G, Twenty-seventh Maine Infantry.	do			Do.
2107	Mitchell, John, first sergeant, Company I, Fifth U. S. Infantry.	Apr. 23, 1875	Upper Washita, Tex.	Sept. 9-11, 1874	Gallantry in engagement with Indians.
2372	Mitchell, John J., corporal, Company L, Eighth U. S. Cavalry.	Mar. 3, 1870	Hell Canyon, Ariz.	July 3, 1869	Gallantry in action.
551	Mitchell, Joseph S., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
552	Mitchell, Joseph S., Jr., private, Company F, Twenty-seventh Maine Infantry.	do			Do.
2043	Mitchell, Theodore, private, Company G, Sixty-first Pennsylvania Infantry.	May 10, 1865	Petersburg, Va.	Apr. 2, 1865	Capture of flag.
1281	Moffit, John H., corporal, Company C, Sixteenth New York Infantry.	Mar. 3, 1891	Gaines Mill, Va.	June 27, 1862	Voluntarily took up the regimental colors after several color bearers had been shot down and carried them until himself wounded.
2147	Molbone, Archibald, sergeant, Company G, First Rhode Island Light Artillery.	June 20, 1866	Petersburg, Va.	Apr. 2, 1865	Was one of a detachment of 20 picked artillerymen who voluntarily accompanied an infantry assaulting party and who turned upon the enemy the guns captured in the assault.
1372	Monaghan, Patrick, corporal, Company F, Forty-eighth Pennsylvania Infantry.	Dec. 1, 1864	do	June 17, 1864	Recapture of colors of Seventh New York Heavy Artillery.

2373	Montross, Charles H., private, Company I, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876, to Jan. 8, 1877.	Gallantry in action.
553	Moody, Charles H., private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
554	Moody, James E., private, Company I, Twenty-seventh Maine Infantry.	do.....			Do.
555	Moody, William H., first sergeant, Company I, Twenty-seventh Maine Infantry.	do.....			Do.
2183	Moore, Daniel B., corporal, Company E, Eleventh Wisconsin Infantry.	Aug. 8, 1900	Fort Blakely, Ala.	Apr. 9, 1865	At the risk of his own life saved the life of an officer who had been shot down and overpowered by superior numbers.
556	Moore, George A., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1673	Moore, George G., private, Company D, Eleventh West Virginia Infantry.	Oct. 6, 1864	Fishers Hill, Va.	Sept. 22, 1864	Capture of flag.
557	Moore, John, private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1674	Moore, Wilbur F., private, Company C, One hundred and seventeenth Illinois Infantry.	Feb. 22, 1865	Nashville, Tenn.	Dec. 16, 1864	Capture of a flag of a Confederate battery while far in advance of the Union lines.
2374	Mequin, George, corporal, Company F, Fifth U. S. Cavalry.	Jan. 27, 1880	Milk River, Colo.	Sept. 29 to Oct. 5, 1879.	Gallantry in action.
2375	Moran, John, private, Company F, Eighth U. S. Cavalry.	Mar. 3, 1870	Seneca Mountain, Ariz.	Aug. 25, 1869	Do.
2563	Moran, John E. (See addenda.)				
1283	Morey, Delano, private, Company B, Eighty-second Ohio Infantry.	Aug. 14, 1893	McDowell, Va.	May 8, 1862	After the charge of the command had been repulsed he rushed forward, alone, with an empty gun and captured two of the enemy's sharpshooters.
1126	Morford, Jerome, private, Company K, Fifty-fifth Illinois Infantry.	Sept. 2, 1893	Vicksburg, Miss.	May 22, 1863	Gallantry in charge of the "volunteer storming party."
2376	Morgan, George H., second lieutenant, Third U. S. Cavalry.	July 15, 1892	Big Dry Fork, Ariz.	July 17, 1862	Gallantly held his ground at a critical moment and fired upon the advancing enemy (hostile Indians) until himself disabled by a shot.
1373	Morgan, Lewis, private, Company I, Fourth Ohio Infantry.	Dec. 1, 1864	Spottsylvania, Va.	May 12, 1864	Capture of flag from the enemy's works.
2044	Morgan, Richard H., corporal, Company A, Fourth Iowa Cavalry.	June 17, 1865	Columbus, Ga.	Apr. 16, 1865	Capture of flag inside the enemy's works, contesting for its possession with its bearer.
558	Morgan, William F., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2377	Moriarty, John, sergeant, Company E, Eighth U. S. Cavalry.	Sept. 6, 1899	Arizona	1898 and 1899	Bravery in actions and scouts against Indians.
1492	Morrill, Walter G., captain, Company B, Twentieth Maine Infantry.	Apr. 6, 1896	Rappahannock Station, Va.	Nov. 7, 1893	Learning that an assault was to be made upon the enemy's works by other troops, this officer voluntarily joined the storming party with about 50 men of his regiment, and by his dash and gallantry rendered effective service in the assault.
1040	Morris, James L., first sergeant, Company C, Fifth U. S. Cavalry.	Aug. 12, 1875	Near Fort Selden, N. Mex.	July 8 to 11, 1873	Services against hostile Indians.
2045	Morris, William, sergeant, Company C, First New York (Lincoln) Cavalry.	May 3, 1865	Salors Creek, Va.	Apr. 6, 1865	Capture of flag of Fortieth Virginia Infantry (C. S. A.).
2200	Morris, William W., corporal, Company H, Sixth U. S. Cavalry.	Apr. 23, 1875	Upper Washita, Tex.	Sept. 9 to 11, 1874	Gallantry in engagement with Indians.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1730	Morrison, Francis, private, Company H, Eighty-fifth Pennsylvania Infantry.	Aug. 2, 1897	Bermuda Hundred, V.	June 17, 1864.	Voluntarily exposed himself to heavy fire to bring off a wounded comrade.
559	Morrison, Ivory C., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1675	Morse, Benjamin, private, Company C, Third Michigan Infantry.	Feb. 24, 1891	Spotsylvania, Va.	May 12, 1864.	Capture of colors of Fourth Georgia Battery (C. S. A.).
1605	Morse, Charles E., sergeant, Company I, Sixty-second New York Infantry.	Jan. 14, 1890	Wilderness, Va.	May 5, 1864.	Voluntarily rushed back into the enemy's lines, took the colors from the color sergeant, who was mortally wounded, and although himself wounded, carried them through the fight.
2564 1795	Mosher, Louis C. (See addenda.) Mostoller, John W., private, Company B, Fifty-fourth Pennsylvania Infantry.	Dec. 27, 1894	Lynchburg, Va.	June 13, 1864.	Voluntarily led a charge on a Confederate battery (the officers of the company being disabled) and compelled its hasty removal.
2378	Mott, John, sergeant, Company F, Third U. S. Cavalry.	Nov. 13, 1871	Whetstone Mountains, Ariz.	May 5, 1871.	Gallantry in action.
560	Moulton, Alonzo P., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
561	Moulton, Charles H., private, Company I, Twenty-seventh Maine Infantry.	do.			Do.
562	Moulton, Erastus, sergeant, Company I, Twenty-seventh Maine Infantry.	do.			Do.
2379	Moylan, Myles, captain, Seventh U. S. Cavalry.	Nov. 27, 1894	Bear Paw Mountain, Mont.	Sept. 30, 1877.	Gallantly led his command in action against Nez Percés Indians until himself severely wounded.
563	Murridge, Samuel, private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1527	Mulholland, St. Clair A., major, One hundred and sixteenth Pennsylvania Infantry.	Mar. 26, 1895	Chancellorsville, Va.	May 4-5, 1863.	In command of the picket line held the enemy in check all night to cover the retreat of the Army.
2046	Mundell, Walter L., corporal, Company E, Fifth Michigan Infantry.	May 10, 1865	Sailors Creek, Va.	Apr. 6, 1865.	Capture of flag.
1405	Munsell, Harvey M., sergeant, Company A, Ninety-ninth Pennsylvania Infantry.	Feb. 5, 1896	Gettysburg, Pa.	July 1-3, 1863.	Gallant and courageous conduct as color bearer. (This noncommissioned officer carried the colors of his regiment through 13 engagements.)
564	Murch, Orrin, private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1081	Murphy, Charles J., first lieutenant and quartermaster, Thirty-eighth New York Infantry.	Apr. 5, 1898	Bull Run, Va.	July 21, 1861.	Took a rifle and voluntarily fought with his regiment in the ranks; when the regiment was forced back voluntarily remained on the field caring for the wounded, and was there taken prisoner.
1676	Murphy, Daniel, sergeant, Company F, Nineteenth Massachusetts Infantry.	Dec. 1, 1894	Hatchers Run, Va.	Oct. 27, 1864.	Capture of flag of Forty-seventh North Carolina Infantry (C. S. A.).

1283	Murphy, Dennis J. F., sergeant, Company F, Fourteenth Wisconsin Infantry.	Jan. 22, 1862	Corinth, Miss.	Oct. 3, 1862	Although wounded three times, carried the colors throughout the conflict.
923	Murphy, Edward, second lieutenant, Company B, Tenth V. R. C.	May 20, 1865		April, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill. Gallantry in action.
2380	Murphy, Edward, private, Company G, First U. S. Cavalry.	Feb. 14, 1870	Chickasaw Mountains, Ark.	Oct. 20, 1869	Do.
2381	Murphy, Edward F., corporal, Company D, Fifth U. S. Cavalry.	Apr. 23, 1880	Milk River, Colo.	Sept. 29, 1879	A piece of artillery having been silenced by the enemy, this soldier voluntarily assisted in working the piece, conducting himself throughout the engagement in a gallant and fearless manner.
2160	Murphy, James T., private, Company L, First Connecticut Artillery.	Oct. 29, 1866	Petersburg, Va.	Mar. 25, 1865	Bravery in action with Sioux.
2382	Murphy, Jeremiah, private, Company M, Third U. S. Cavalry.	Oct. 16, 1877	Powder River, Mont.	Mar. 17, 1876	See note at end of table.
565	Murphy, John B., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Capture of flag of Thirtieth Alabama Infantry (C. S. A.).
1294	Murphy, John P., private, Company K, Fifth Ohio Infantry.	Sept. 11, 1866	Antietam, Md.	Sept. 17, 1862	See note at end of table.
566	Murphy, Joseph W., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			This officer commanding the regiment kept it on the field, exposed to the fire of the enemy, for three hours, without being able to fire one shot in return because of the ammunition being exhausted.
1888	Murphy, Michael C., lieutenant colonel, One hundred and seventieth New York Infantry.	Jan. 15, 1867	North Anna River, Va.	May 24, 1864	Gallantry in action.
2382	Murphy, Philip, corporal, Company F, Eighth U. S. Cavalry.	Mar. 3, 1870	Seneca Mountain, Ark.	Aug. 28, 1869	Being orderly to the brigade commander, he voluntarily led two regiments, as reinforcements, into line of battle, where he had his horse shot under him.
1796	Murphy, Robinson B., musician, Company A, One hundred and twenty-seventh Illinois Infantry.	July 22, 1860	Atlanta, Ga.	July 28, 1864	Gallantry in action.
2384	Murphy, Thomas, corporal, Company F, Eighth U. S. Cavalry.	Mar. 3, 1870	Seneca Mountain, Ark.	Aug. 28, 1869	Capture of flag.
1677	Murphy, Thomas, corporal, Company K, One hundred and fifty-eighth New York Infantry.	Oct. 15, 1864	Chapin's farm, Virginia.	Sept. 30, 1864	Voluntarily crossed the line of heavy fire of Union and Confederate forces carrying a message to stop the firing of one Union regiment on another.
1165	Murphy, Thomas C., corporal, Company L, Thirty-first Illinois Infantry.	Aug. 14, 1863	Vicksburg, Miss.	May 22, 1863	Capture of flag.
2047	Murphy, Thomas J., first sergeant, Company G, One hundred and forty-sixth New York Infantry.	May 10, 1865	Five Forks, Va.	Apr. 1, 1865	Brought up the pack train, and on the second day the rations, under a heavy fire from the enemy.
2385	Murray, Thomas, sergeant, Company B, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn, Mont.	June 25, 1876	With 5 men, repelled a superior force of the enemy, and held his position against their repeated efforts to recapture it.
2386	Myers, Fred, sergeant, Company K, Sixth U. S. Cavalry.	Feb. 4, 1891	White River, S. Dak.	Jan. 1, 1891	Saved the regimental colors by greatest personal devotion and bravery.
1406	Myers, George S., private, Company F, One hundred and first Ohio Infantry.	Apr. 9, 1864	Chickamauga, Tenn.	Sept. 19, 1863	Gallantry in action; was 5 times wounded.
2114	Myers, William H., private, Company A, First Maryland Cavalry.	June 14, 1871	Appomattox Court House, Va.	Apr. 9, 1865	Gallant conduct in campaigns and engagements with Apaches.
985	Namiasdelde, Indian scout.	Apr. 12, 1876		1872-73	Do.
987	Nantale, Indian scout.	do.		1872-73	

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
963	Nash, Henry.	June 22, 1899	Santiago, Cuba	July 1, 1898	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy.
2612	Nash, James J., private, Company F, Tenth U. S. Infantry.	Jan. 24, 1865			See note at end of table.
567	Nason, Andrew J., private, Company F, Twenty-seventh Maine Infantry.	do			Do.
568	Nason, Frederick, private, Company C, Twenty-seventh Maine Infantry.	do			Do.
569	Nason, John, private, Company G, Twenty-seventh Maine Infantry.	do			Do.
570	Nason, Luther, private, Company B, Twenty-seventh Maine Infantry.	do			Do.
571	Nason, Nathan P., sergeant, Company C, Twenty-seventh Maine Infantry.	do			Do.
572	Nason, Robert, private, Company B, Twenty-seventh Maine Infantry.	do			Do.
573	Nason, Samuel E., private, Company C, Twenty-seventh Maine Infantry.	do			Do.
574	Nason, William H., private, Company I, Twenty-seventh Maine Infantry.	do			Do.
2161	Near, Zachariah C., private, Company K, One hundred and forty-second New York Infantry.	Sept. 11, 1890	Fort Fisher, N. C.	Jan. 16, 1865	Voluntarily advanced with the head of the column and cut down the palisade.
575	Neal, John F., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2387	Neal, Solomon D., private, Company L, Sixth U. S. Cavalry.	Aug. 25, 1870	Wichita River, Tex.	July 12, 1870	Gallantry in action.
2388	Nedler, Adam, corporal, Company A, Sixth U. S. Cavalry.	Apr. 25, 1891	Sioux campaign	December, 1890	Distinguished bravery.
2613	Nee, George H., private, Company F, Sixth U. S. Cavalry.	June 22, 1899	Santiago, Cuba	July 1, 1898	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy.
576	Needham, Frank E., private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2389	Nedham, Frederick S., sergeant, Company A, Sixth U. S. Cavalry.	Apr. 22, 1875	Upper Washita, Tex.	Sept. 9-11, 1874	Gallantry in action.
924	Nelson, Jacob P., first sergeant, Company A, Ninth V. R. C.	May 20, 1865		April, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
2048	Neville, Edwin M., captain, Company C, First Connecticut Cavalry.	May 3, 1865	Salors Creek, Va.	Apr. 6, 1865	Capture of flag.

577	Nowbegen, Luke L., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2360	Newman, Henry, first sergeant Company F, Fifth U. S. Cavalry.	Dec. 4, 1874	Whetstone Mountains, Ariz.	July 13, 1872	Gallantry in action.
1731	Newman, Marcellus J., private, Company B, One hundred and eleventh Illinois Infantry.	May 13, 1890	Resaca, Ga.	May 14, 1894	Voluntarily returned in the face of a severe fire from the enemy and rescued a wounded comrade who had been left behind as the capture of flag.
2049	Newman, William H., lieutenant, Company B, Eighty-sixth New York Infantry.	May 10, 1895	Near Amelia Springs, Va.	Apr. 6, 1865	See note at end of table.
578	Nichols, Franklin, private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	Voluntarily made a reconnaissance in advance of the line held by his regiment, and, under a heavy fire, obtained information of great value.
2162	Nichols, Henry C., captain, Company E, Seventy-third U. S. C. T.	Aug. 3, 1897	Fort Blakely, Ala.	Apr. 9, 1865	See note at end of table.
579	Nickelson, Edward P., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	Gallantry in action.
2391	Nihrli, John, private, Company F, Fifth U. S. Cavalry.	Dec. 4, 1874	Whetstone Mountains, Ariz.	July 13, 1872	Capture of 2 flags.
2565	Nisperos, Joel B. (See Addenda.)	Mar. 26, 1865	Waynesboro, Va.	Mar. 2, 1865	See note at end of table.
2063	Niven, Robert, second lieutenant, Company H, Eighth New York Cavalry.	Jan. 24, 1865	.....	.....	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill. Although prostrated by a cannon shot, refused to give up the flag which he was carrying as color bearer of his regiment, and continued to carry it, at the head of the regiment, throughout the engagement.
580	Noble, John M., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	Voluntarily left shelter and at great personal risk passed the enemy's lines and brought relief to besieged comrades.
925	Noble, William H., first sergeant Company G, Twelfth V. R. C.	May 20, 1865	.....	April, 1865	Bravery.
1285	Nolan, John J., sergeant, Company K, Eighth New Hampshire Infantry.	Aug. 3, 1897	Georgia Landing, La.	Oct. 27, 1862	Seized the colors, the color bearer having been shot down, and gallantly fought his way out with them, though the enemy were on the left flank and rear.
2566	Nolan, Joseph A., artificer, Company B, Forty-fifth U. S. Volunteer Infantry.	Mar. 14, 1892	Near Labao, Luzon, P. I.	May 28, 1900	See note at end of table.
2392	Nolan, Richard J., farrier, Company I, Seventh U. S. Cavalry.	Apr. 1, 1891	White Clay Creek, S. Dak.	Dec. 30, 1890	See note at end of table.
1200	Noli, Conrad, sergeant, Company D, Twentieth Michigan Infantry.	July 28, 1898	Spottsylvania, Va.	May 12, 1894	Gallantry in the charge of the "volunteer storming party."
581	Norman, Charles S., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Vicksburg, Miss.	May 22, 1863	See note at end of table.
1127	North, Jasper N., private, Company D, Fourth Virginia Infantry.	July 27, 1894	.....	.....	Do.
582	Norton, Clark H., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	Capture of 2 flags.
583	Norton, Eben H., private, Company C, Twenty-seventh Maine Infantry.	do.....	.....	.....	Capture of flag.
2061	Norton, Elliott M., second lieutenant, Company H, Sixth Michigan Cavalry.	May 3, 1865	Salters Creek, Va.	Apr. 6, 1865	.....
2062	Norton, John R., lieutenant, Company M, First New York (Lincoln) Cavalry.	do.....	do.....	do.....	.....

† Jan. 6, 1894, returned medal for issue under name Nelson.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
584	Norton, Leonard, private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2137	O'Brien, Llewellyn F., sergeant, Company L, Tenth New York Cavalry.	July 3, 1865	Sailors Creek, Va.	Apr. 6, 1865	Charged the enemy, and, with the assistance of Corp. Bringle, captured a field piece, with 2 prisoners.
1889	Noyes, William W., private, Company F, Second Vermont Infantry.	Mar. 22, 1862	Spottsylvania, Va.	May 12, 1864	Standing upon the top of the breastworks, deliberately took aim, and fired no less than 15 shots into the enemy's lines, but a few yards away.
585	Nite, Ivory H., corporal, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1850	Nutting, Lee, captain, Company C, Sixty-first New York Infantry.	Aug. 21, 1863	Todd's tavern, Virginia.	May 8, 1864	Led the regiment in the charge at a critical moment, under a murderous fire, until he fell, desperately wounded.
1286	O'Beirne, James R., captain, Company C, Thirty-seventh New York Infantry.	Jan. 20, 1891	Fair Oaks, Va.	May 31 and June 1, 1862	Gallantly maintained the line of battle until ordered to fall back.
1407	O'Brien, Henry D., corporal, Company E, First Minnesota Infantry.	Apr. 9, 1860	Gettysburg, Pa.	July 3, 1863	Taking up the colors where they had fallen, he rushed ahead of his regiment, close to the muzzles of the enemy's guns, and engaged in the desperate struggle in which the enemy was defeated, and, though severely wounded, he held the colors until wounded a second time.
2063	O'Brien, Peter, private, Company A, First New York (Lincoln) Cavalry.	Mar. 26, 1865	Waynesboro, Va.	Mar. 2, 1865	Capture of flag and of a Confederate officer with his horse and equipments.
586	O'Brien, Lewis, quartermaster, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
883	O'Callaghan, John, sergeant, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona	August to October, 1866	Bravery in actions and scouts against Indians.
2506	O'Connor, Timothy, private, Company E, First U. S. Cavalry.	Jan. 5, 1865			
1122	O'Dea, John, private, Company D, Eighth Missouri Infantry.	July 12, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
1166	O'Donnell, Menzies, first lieutenant, Company A, Eleventh Missouri Infantry.	Sept. 11, 1867	do.	do.	Voluntarily joined the color guard in the assault on the enemy's works when he saw indications of wavering, and caused the colors of his regiment to be planted in the ranks of an assaulting column.
2064	Okeas, George W., private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Port De Russey, La.	Mar. 14, 1864	Voluntarily placed himself in the ranks of an assaulting column (being then on staff duty) and rode with it into the enemy's works, being the only mounted officer present; was twice wounded in battle.
	Oliver, Charles, sergeant, Company M, One hundredth Pennsylvania Infantry.	July 3, 1865	Petersburg, Va.	Mar. 25, 1865	See note at end of table.
					Capture of flag of Thirty-first Georgia Infantry (C. S. A.).

2303	Oliver, Francis, first sergeant, Company G, First U. S. Cavalry.	Feb. 14, 1870	Chickasaw Mountains, Ark.	Oct. 20, 1869	Bravery in action.
1890	O'Brien, E. J., captain, Company D, Twelfth New York Infantry.	Oct. 12, 1892	Rosaca, Ga.	May 15, 1864	While acting as aid, assisted in preventing a disaster caused by Union troops firing into each other.
1408	O'Neill, Stephen, corporal, Company E, Seventh U. S. Infantry.	Sept. 28, 1891	Chancellorsville, Va.	May 1, 1863	Took up the colors from the hands of the color bearer, who had been shot down, and bore them through the remainder of the battle.
2394	O'Neill, William, corporal, Company I, Fourth U. S. Cavalry.	Nov. 19, 1872	Red River, Tex.	Sept. 29, 1872	Bravery in action.
1374	Opel, John N., private, Company G, Seventh Indiana Infantry.	Dec. 1, 1864	Wilderness, Va.	May 5, 1864	Capture of flag of Fiftieth Virginia Infantry (C. S. A.).
1528	Orr, David, private, Company B, Fifty-eighth Ohio Infantry.	Aug. 2, 1879	Shiloh, Tenn.	} 1862 and 1863.	Gallantry in actions.
588	Orr, Moses, private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Vicksburg, Miss., etc.		See note at end of table.
894	O'Regan, Michael, private, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona.	August to October, 1868	Bravery in actions and scouts against Indians.
1732	Orr, Charles A., private, Company G, One hundred and eighty-seventh New York Infantry.	Apr. 1, 1898	Hatchers Run, Va.	Oct. 27, 1864	This soldier and 2 others, voluntarily and under fire, rescued several wounded and helpless soldiers.
1021	Orr, Robert L., major, Sixty-first Pennsylvania Infantry.	Apr. 12, 1875		Winter of 1872-73	Gallantry in campaigns and engagements with Apaches.
1603	Orr, Jacob G., corporal, Company D, Twenty-eighth Pennsylvania Infantry.	Nov. 28, 1892	Petersburg, Va.	Apr. 2, 1865	Carried the colors at the head of the column in the assault after 2 color bearers had been shot down.
1287	Orr, William, sergeant, Company M, First U. S. Cavalry.	Jan. 15, 1867	Antietam, Md.	Sept. 17, 1862	Capture of flag, supposed to be of Seventh South Carolina Infantry (C. S. A.).
1027	Osborne, William, sergeant, Company M, First U. S. Cavalry.	Apr. 12, 1875		Winter of 1872-73	Gallantry in campaigns and engagements with Apaches.
1288	Osborne, William H., private, Company C, Twenty-ninth Massachusetts Infantry.	Apr. 1, 1898	Malvern Hill, Va.	July 1, 1862	Although wounded and carried to the rear, he secured a rifle and voluntarily returned to the front, where, failing to find his own regiment, he joined another and fought with it until again severely wounded and taken prisoner.
589	Osgood, Henry B., first lieutenant, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1529	Oss, Albert, private, Company B, Eleventh New Jersey Infantry.	May 6, 1892	Chancellorsville, Va.	May 3, 1863	Remained in the rifle pits after the others had retreated, firing constantly and contesting the ground step by step.
1066	O'Sullivan, John, private, Company I, Fourth U. S. Cavalry.	Oct. 13, 1875	Staked Plains, Tex.	Dec. 8, 1874	Gallantry in a long chase after Indians.
590	Olis, William M., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1129	Overmire, Jacob H., private, Company K, Eighty-third Indiana Infantry.	Aug. 13, 1894	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
591	Owen, Elijah J. C., private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
592	Owen, Mark L. H., private, Company C, Twenty-seventh Maine Infantry.	do.			Do.
593	Owen, Melville C., private, Company C, Twenty-seventh Maine Infantry.	do.			Do.
594	Packard, Charles F., private, Company A, Twenty-seventh Maine Infantry.	do.			Do.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1557	Packard, Loron F., sergeant, Company E, Fifth New York Cavalry.	Aug. 20, 1894	Raccoon Ford, Va.	Nov. 27, 1893	After his command had retreated, this soldier, voluntarily and alone, returned to the assistance of a comrade and rescued him from the hands of 3 armed Confederates. See note at end of table.
595	Page, Amos W., first lieutenant Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Staked Plains, Tex.	Sept. 20, 1874	Gallantry in action.
1067	Palme, Adam, private, Indian Scouts.	Oct. 13, 1875	Lexington, Mo.	Sept. 20, 1861	Volunteered to fight in the trenches, and also led a charge which resulted in the recapture of a Union hospital, together with Confederate sharpshooters then occupying the same. See note at end of table.
1062	Palmer, George H., musician, First Illinois Cavalry.	Mar. 10, 1896			
596	Palmer, James W., private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Fredericksburg, Va.	Dec. 13, 1862	Volunteered to assist as gunner of a battery upon which the enemy was concentrating its fire, and fought with the battery until the close of the engagement.
1289	Palmer, John G., corporal, Company F, Twenty-first Connecticut Infantry.	Oct. 30, 1896			With less than 200 men, attacked and defeated a superior force of the enemy, capturing their fieldpiece and about 100 prisoners without the loss of a man.
2138	Palmer, William J., colonel Fifteenth Pennsylvania Cavalry.	Feb. 24, 1894	Red Hill, Ala.	Jan. 14, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill. See note at end of table.
926	Pardun, James M., first sergeant, Company K, Twenty-fourth V. R. C.	May 20, 1865		April, 1865	Do.
597	Parker, Benjamin F., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
598	Parker, Horace B., private, Company G, Twenty-seventh Maine Infantry.	do.			
2567	Parker, James, lieutenant colonel, Forty-fifth U. S. Volunteer Infantry.	Mar. 8, 1902	Vigan, Luzon, P. I.	Dec. 4, 1899	While in command of a small garrison, repulsed a savage night attack by overwhelming numbers of the enemy, fighting at close quarters in the dark for several hours. See note at end of table.
599	Parker, Joseph D., first lieutenant, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
1936	Parker, Thomas, corporal, Company B, Second Rhode Island Infantry.	May 29, 1867	(Petersburg, Va.) Sailors Creek, Va.	Apr. 2, 1865 Apr. 6, 1865	Planted the first color on the enemy's works. Carried the regimental colors over the creek after the regiment had broken and been repulsed. Capture of flag.
1678	Parks, James W., corporal, Company F, Eleventh Missouri Infantry.	Feb. 24, 1865	Nashville, Tenn.	Dec. 16, 1864	Do.
1679	Parks, Jeremiah, private, Company A, Ninth New York Cavalry.	Oct. 26, 1864	Cedar Creek, Va.	Oct. 19, 1864	
2305	Parnell, William R., first lieutenant, First U. S. Cavalry.	Sept. 16, 1897	White Bird Canyon, Idaho.	June 17, 1877	With a few men, in the face of a heavy fire from pursuing Indians and at imminent peril, returned and rescued a soldier whose horse had been killed, and who had been left behind in the retreat.

600	Parody, John, private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
609	Parrot, Jacob, private, Company K, Thirty-third Ohio Infantry.	Mar. 25, 1863	Georgia	April, 1862	One of 22 men (including 2 civilians) who by direction of Gen. Mitchell (or Buell) penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta.
1180	Parsons, Joel, private, Company B, Fourth Virginia Infantry.	Aug. 16, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
601	Patch, John, Jr., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
602	Patterson, Gardner, private, Company F, Twenty-seventh Maine Infantry.	do.			Do.
1733	Patterson, John E., first lieutenant, Eleventh U. S. Infantry.	July 23, 1897	Wilderness, Va.	May 6, 1864	Under the heavy fire of the advancing enemy, picked up and carried several hundred yards to a place of safety; a wounded officer of his regiment, who was helpless and would otherwise have been turned in the forest.
1555	Patterson, John T., principal musician, One hundred and twenty-second Ohio Infantry.	May 13, 1860	Winchester, Va.	June 14, 1863	With 1 companion voluntarily went in front of the Union line, under a heavy fire from the enemy, and carried back a helpless wounded comrade, thus saving him from death or capture.
603	Patterson, Mark, private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
604	Paul, Elbridge K., corporal, Company G, Twenty-seventh Maine Infantry.	do.			Do.
605	Paul, Henry M., private, Company G, Twenty-seventh Maine Infantry.	do.			Do.
1260	Paul, William H., private, Company E, Ninetieth Pennsylvania Infantry.	Nov. 3, 1866	Aniaketam, Md.	Sept. 17, 1862	Under a most withering and concentrated fire, voluntarily picked up the colors of his regiment, when the bearer and 2 of the color guard had been killed, and bore them aloft throughout the entire battle.
1462	Pay, Bryon E., private, Company H, Second Minnesota Infantry.	Sept. 11, 1897	Nolensville, Tenn.	Feb. 15, 1863	Was one of a detachment of 16 men who heroically defended a wagon train against the attack of 125 cavalymen, repulsed the attack, and saved the train.
2055	Payne, Irvin C., corporal, Company M, Second New York Cavalry.	May 3, 1865	Sallors Creek, Va.	Apr. 6, 1865	Capture of Virginia State colors.
901	Payne, Isaac, trumpeter, Indian Scouts.	May 28, 1875	Pecos River, Tex.	Apr. 25, 1875	Gallantry in action.
2174	Payne, Thomas H. L., first lieutenant, Company E, Thirty-seventh Illinois Infantry.	Apr. 1, 1866	Fort Blakely, Ala.	Apr. 9, 1865	While acting regimental quartermaster, learning of an expected assault, requested assignment to a company that had no commissioned officers present; was so assigned, and was one of the first to lead his men into the enemy's works.
1131	Pearall, Platt, corporal, Company C, Thirtieth Ohio Infantry.	Aug. 14, 1894	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
1937	Pearson, Alfred L., colonel, One hundred and fifty-fifth Pennsylvania Infantry.	Sept. 17, 1897	Lewis Farm, Va.	Mar. 29, 1865	Seeing a brigade forced back by the enemy, he seized his regimental color, called on his men to follow him, and advanced upon the enemy under a severe fire. The whole line took up the advance, the lost ground was regained, and the enemy was repulsed.
606	Peavey, Chandler, private, Company J, Twenty-seventh Maine Infantry.	Jan. 24, 1866			See note at end of table.
1291	Peck, Cassius, private, Company F, First U. S. Sharpshooters.	Oct. 12, 1892	Near Sharpsburg, Md.	Sept. 19, 1862	Took command of such soldiers as he could get and attacked and captured a Confederate battery of four guns. Also, while on a reconnaissance, overtook and captured a Confederate soldier.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1391	Peck, Theodore S., first lieutenant, Company H, Ninth Vermont Infantry.	Sept. 8, 1891	Newport Barracks, N. C.	Feb. 2, 1894.....	By long and persistent resistance and burning the bridges, kept a superior force of the enemy at bay and covered the retreat of the garrison.
2056	Petrol, James K., sergeant, Company F, Thirtieth Ohio Cavalry.	May 3, 1865	Palms Cross Roads, Va.	Apr. 5, 1865.....	Capture of flag.
607	Pendexter, Paul, private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2386	Pengally, Edward, private, Company G, Eighth U. S. Cavalry.	Feb. 14, 1870	Chiricahua Mountains, Ariz.	Oct. 20, 1869.....	Gallantry in action.
608	Pennell, Horace, private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2199	Pennys, Josiah, sergeant, Company M, Sixth U. S. Cavalry.	Apr. 23, 1875	Upper Washita, Tex.	Sept. 11, 1874.....	Gallantry in action.
2175	Pennypacker, Galusha, colonel Ninety-seventh Pennsylvania Infantry.	Aug. 17, 1891	Fort Fisher, N. C.	Jan. 15, 1865.....	Gallantry led the charge over a traverse and planted the colors of one of his regiments thereon; was severely wounded.
2057	Pentzer, Patrick H., captain Company C, Ninety-seventh Illinois Infantry.	Oct. 9, 1879	Blakely, Ala.	Apr. 9, 1865.....	Among the first to enter the enemy's intrenchments, he received the surrender of a Confederate general officer and his headquarters flag.
609	Perkins, George D., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
610	Perkins, James G., private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
611	Perkins, John, private, Company B, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
612	Perkins, John W., second lieutenant Company F, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
613	Perkins, Otis W., private, Company I, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
614	Perkins, Samuel, private, Company F, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
615	Perry, Pharaoh, private, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
616	Perry, William R., private, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1463	Pesch, Joseph, private, Battery A, First Missouri Light Artillery.	Mar. 10, 1896	Grand Gulf, Miss.	Apr. 28-29, 1863.....	With 2 comrades voluntarily took position on board the steamer Cheeseman, in charge of all the guns and ammunition of the battery, and remained in charge of the same, although the steamer became unmanageable and was exposed for some time to a heavy fire from the enemy.

617	Pettigrew, Colby H., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
618	Pettigrew, John, corporal, Company G, Twenty-seventh Maine Infantry.	Aug. 21, 1863	Fredericksburg, Va.	Dec. 13, 1862.	Do.
2519	Petty, Philip, sergeant, Company A, One-hundred and thirty-sixth Pennsylvania Infantry.	June 22, 1869	Santiago, Cuba.	July 1, 1868.	Took up the colors as they fell out of the hands of the wounded color bearer, and carried them forward in the charge.
2614	Pfister, Herman, musician, Company H, Twenty-first U. S. Infantry.	Mar. 30, 1868	Laurel Hill, Va.	May 8, 1864.	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy.
1826	Phelps, Charles E., colonel, Seventh Maryland Infantry.	July 24, 1869	Arizona.	Aug. to Oct., 1868.	Rode to the head of the assaulting column, then much broken by severe losses and falling under the close fire of artillery, placed himself conspicuously in front of the troops and gallantly rallied and led them to within a few feet of the enemy's works, where he was severely wounded and captured.
385	Phife, Lewis, sergeant, Company B, Eighth U. S. Cavalry.	.....	.....	.....	Bravery in actions and scouts against Indians.
619	Philbrick, Ira A., private, Company H, Twenty-seventh Maine Infantry.	.....	.....	.....	See note at end of table.
620	Philbrick, Robert S., private, Company E, Twenty-seventh Maine Infantry.	.....	.....	.....	Do.
2397	Phillips, Wilhelm O., blacksmith, Troop D, Fifth U. S. Cavalry.	Dec. 12, 1864	Mill Creek, Colo.	Sept. 29, 1879.	With 9 others voluntarily attacked and captured a strong position held by Indians.
2053	Phillips, Josiah, private, Company E, One-hundred and forty-eighth Pennsylvania Infantry.	May 10, 1865	Sutherland Station, Va.	Apr. 2, 1865.	Capture of flag.
621	Phillips, Rufus, private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2398	Phillips, Samuel D., private, Company H, Second U. S. Cavalry.	Aug. 8, 1877	Muddy Creek, Mont.	May 7, 1877.	Gallantry in action.
622	Phillips, Trafion, private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1292	Pluisterer, Frederick, first lieutenant, Eighteenth U. S. Infantry.	Dec. 12, 1864	Stone River, Tenn.	Dec. 31, 1862.	Voluntarily conveyed, under a heavy fire, information to the commander of a battalion of regular troops, by which the battalion was saved from capture or annihilation.
1060	Phoenix, Edwin, corporal, Company E, Fourth U. S. Cavalry.	Oct. 13, 1875	Near Red River, Tex.	Sept. 28, 1874.	Gallantry in action.
623	Pickernell, Richard, private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1724	Pickle, Alonzo H., sergeant, Company B, First Minnesota Infantry.	June 12, 1865	Deep Bottom, Va.	Aug. 14, 1864.	At the risk of his life, voluntarily went to the assistance of a wounded officer lying close to the enemy's lines and, under fire, carried him to a place of safety.
624	Pierce, Charles A., corporal, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2563	Pierce, Charles H., private, Company I, Twenty-second U. S. Infantry.	Mar. 10, 1902	Near San Isidro, Luzon, P. I.	Oct. 19, 1899.	Held a bridge against a superior force of the enemy and fought, though severely wounded, until the main body came up to cross.
625	Pierce, Daniel, private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
626	Pierce, Henry B., corporal, Company D, Twenty-seventh Maine Infantry.	.....	.....	.....	Do.
627	Pierce, Sylvester, private, Company B, Twenty-seventh Maine Infantry.	.....	.....	.....	Do.
628	Pierce, William B., sergeant, Company F, Twenty-seventh Maine Infantry.	.....	.....	.....	Do.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
959	Pierson, Stephen, second lieutenant, Company D, Twenty-seventh New Jersey Infantry.	May 17, 1867	.....	June 17, 1863	Offered his services to the Government and remained in service several weeks after expiration of his term.
959	Pike, Charles M., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1233	Pike, Edward M., first sergeant, Company A, Thirty-third Illinois Infantry.	Mar. 20, 1869	Cache River, Ark.	July 7, 1862	While the troops were falling back before a superior force, this soldier, assisted by one companion, and while under severe fire at close range, saved a cannon from capture by the enemy.
959	Pike, George B., private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
959	Pike, William C., corporal, Company B, Twenty-seventh Maine Infantry.	.....	.....	.....	Do.
959	Pillsbury, Woodman, private, company K, Twenty-seventh Maine Infantry.	.....	.....	.....	Do.
1204	Pingree, Samuel E., captain Company F, Third Vermont Infantry.	Aug. 17, 1861	Lees Mills, Va.	Apr. 16, 1862	Gallantly led his company across a wide, deep creek, drove the enemy from the rifle pits, which were within two yards of the farther bank, and remained at the head of his men until a second time severely wounded.
2059	Pinkham, Charles H., sergeant major, Fifty-seventh Massachusetts Infantry.	Apr. 16, 1865	Fort Stedman, Va.	Mar. 25, 1865	Captured the flag of the Fifty-seventh North Carolina Infantry (C. S. A.), and saved his own colors by tearing them from the staff while the enemy was in the camp.
1892	Pinn, Robert A., first sergeant, Company I, Fifth U. S. C. T.	Apr. 6, 1865	Chapin's farm, Virginia.	Sept. 20, 1864	Took command of his company after all the officers had been killed or wounded and gallantly led it in battle.
633	Piper, Horace L., second lieutenant, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1556	Pipes, James M., captain, Company A, One hundred and fortieth Pennsylvania Infantry.	Apr. 5, 1868	Gettysburg, Pa.	July 2, 1863	While a sergeant and retiring with his company before the rapid advance of the enemy, he and a companion stopped and carried to a place of safety a wounded and helpless comrade; in this act both he and his companion were severely wounded.
2060	Pitman, George J., sergeant, Company C, First New York (Lincoln) Cavalry.	May 3, 1865	Reams Station, Va.	Aug. 25, 1864	While commanding a skirmish line, voluntarily assisted in checking a flank movement of the enemy, and while so doing was severely wounded, suffering the loss of an arm.
940	Pittinger, William, sergeant, Company G, Second Ohio Infantry.	Mar. 25, 1863	Salters Creek, Va.	Apr. 6, 1865	Capture of flag of the Sumter Heavy Artillery (C. S. A.).
			Georgia	April, 1862	One of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell), penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta.

634	Pitts, George, private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1038	Plant, Henry E., corporal, Company F, Fourteenth Michigan Infantry.	Apr. 27, 1864	Bentonville, N. C.	Mar. 19, 1865	Rushed into the midst of the enemy and rescued the colors, the color bearer having fallen, mortally wounded.
1400	Plant, George C., private, Troop H, Sixth U. S. Cavalry.	July 12, 1865	Fairfield, Pa.	July 3, 1863	Seized the regimental flag upon the death of the standard bearer, in a hand-to-hand fight, and prevented it from falling into the hands of the enemy.
2038	Platton, Frederick, sergeant, Company H, Sixth U. S. Cavalry.	Nov. 16, 1876	Sappa Creek, Kans.	Apr. 23, 1876	Gallantry in action.
2163	Plimley, William, first lieutenant, Company F, One hundred and twelfth New York Infantry.	Apr. 4, 1868	Hatchers Run, Va.	Apr. 2, 1865	While acting as aid to a general officer, voluntarily accompanied a regiment in an assault on the enemy's works and acted as leader of the movement which resulted in the rout of the enemy and the capture of a large number of prisoners.
1375	Playman, George H., sergeant major, Third Maryland Infantry.	Dec. 1, 1864	Petersburg, Va.	June 17, 1864	Recaptured the colors of the Second Pennsylvania Provisional Artillery after a desperate struggle in which he was wounded.
635	Plumer, Jeremiah, Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
636	Plumer, William, private, Company A, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1295	Plunkett, Thomas, sergeant, Company E, Twenty-first Massachusetts Infantry.	Mar. 30, 1866	Fredricksburg, Va.	Dec. 11, 1862	Seized the colors of his regiment, the color bearer having been shot down, and bore them to the front, where both his arms were carried off by a shell.
2015	Poland, Alfred, private, Company F, Tenth U. S. Infantry.	June 22, 1890	Santiago, Cuba.	July 1, 1898	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy.
1883	Pond, George F., private, Company C, Third Wisconsin Cavalry.	May 16, 1890	Drywood, Kans.	May 15, 1884	With 2 companions attacked a greatly superior force of guerrillas, routed them, and rescued several prisoners.
1530	Pond, James B., first lieutenant, Company C, Third Wisconsin Cavalry.	Mar. 30, 1898	Baxter Springs, Kans.	Oct. 6, 1893	While in command of 2 companies of cavalry, was surprised and attacked by several times his own number of guerrillas, but gallantly rallied his men, and after a severe struggle drove the enemy outside the fortifications. Lieut. Pond then went outside the works and, alone, and unaided, fired a howitzer three times, throwing the enemy into confusion and causing him to retire.
637	Poole, James A., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2399	Popple, John A., sergeant, Company B, Fifth U. S. Cavalry.	Jan. 27, 1880	Milk River, Colo.	Sept. 20 to Oct. 5, 1879	Gallantry in action.
2517	Porter, Ambrose. (See addenda.)	July 8, 1902	Chickamauga, Ga.	Sept. 20, 1863	While acting as a volunteer aid, at a critical moment, when the lines were broken, rallied enough fugitives to hold the ground, under heavy fire, long enough to effect the escape of wagon trains and batteries.
1496	Porter, Horace, captain, Ordnance Department, U. S. Army.	Sept. —, 1863	Georgia	April, 1862	One of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell), penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta.
941	Porter, John R., private, Company G, Twenty-first Ohio Infantry.	Aug. 25, 1870	Wichita River, Tex.	July 12, 1870	Gallantry in action.
2400	Porter, Samuel, farrier, Company L, Sixth U. S. Cavalry.	July 3, 1865	Sailors Creek, Va.	Apr. 6, 1865	Among the first to check the enemy's countercharge.
2115	Porter, William, sergeant, Company H, First New Jersey Cavalry.	.....	.....	.....	.....

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1851	Post, Philip Sidney, colonel Fifty-ninth Illinois Infantry.	Mar. 18, 1893	Nashville, Tenn.....	Dec. 15-16, 1864.....	Led his brigade in an attack upon a strong position under a terrific fire of grape, canister, and musketry; was struck down by a grape shot after he reached the enemy's works.
1576	Postles, James Parke, captain Company A, First Delaware Infantry.	July 22, 1892	Gettysburg, Pa.....	July 2, 1863.....	Voluntarily delivered an order, in the face of heavy fire of the enemy.
2148	Potter, George W., private, Company G, First Rhode Island Light Artillery.	Mar. 4, 1886	Petersburg, Va.....	Apr. 2, 1865.....	Was one of a detachment of 20 picked artillerymen who voluntarily accompanied an Infantry assaulting party, and who turned upon the enemy the guns captured in the assault.
1429	Potter, Norman F., first sergeant Company E, One hundred and forty-ninth New York Infantry.	June 24, 1865	Lookout Mountain, Tenn.....	Nov. 24, 1863.....	Capture of flag (Bragg's army), in a hand-to-hand encounter.
1296	Powell, William H., major Second West Virginia Cavalry.	July 22, 1890	Sinking Creek Valley, Va.....	Nov. 26, 1862.....	Distinguished services in raid, where, with 20 men, he charged and captured the enemy's camp, 500 strong, without the loss of a man or gun.
1297	Power, Albert, private, Company A, Third Iowa Cavalry.	Mar. 6, 1899	Pea Ridge, Ark.....	Mar. 7, 1862.....	Under a heavy fire and at great personal peril went to the aid of a dismounted comrade who was surrounded by the enemy, took the man up behind him on his horse and carried him to a place of safety.
2401	Powers, Thomas, corporal, Company G, First U. S. Cavalry.	Feb. 14, 1870	Chiricahua Moun- tains, Ariz.....	Oct. 20, 1869.....	Gallantry in action.
2164	Powers, Wesley J., corporal, Company F, One hundred and forty-seventh Illinois Infantry.	Oct. 24, 1895	Oostanaula, Ga.....	Apr. 3, 1865.....	Voluntarily swam the river under heavy fire and secured a ferry-boat, by means of which the command crossed.
2402	Pratt, James, blacksmith, Company I, Fourth U. S. Cavalry.	Nov. 19, 1872	Red River, Tex.....	Sept. 29, 1872.....	Gallantry in action.
638	Pray, William A., private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
639	Pray, William H., private, Company B, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1298	Prentice, Joseph R., private, Company E, Nineteenth U. S. Infantry.	Feb. 3, 1894	Stone River, Tenn.....	Dec. 31, 1862.....	Voluntarily rescued the body of his commanding officer, who had fallen mortally wounded.
640	Prescott, Alpheus, private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
641	Prescott, Roswell, private, Company A, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
642	Prescott, Wallace, private, Company A, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1707	Preston, Noble D., first lieutenant and commissary, Tenth New York Cavalry.	Nov. 22, 1899	Trevilian Station, Va.....	June 11, 1864.....	Voluntarily led a charge in which he was severely wounded.

1299	Purcell, Efram W., sergeant, Company G, One hundred and fourth Pennsylvania Infantry.	May 12, 1864	Fair Oaks, Va.....	May 31, 1862.....	While carrying the regimental colors on the retreat, he returned to face the advancing enemy, flag in hand, and saved the other color, which would otherwise have been captured.
1559	Purman, James J., lieutenant, Company A, One hundred and fortieth Pennsylvania Infantry.	Oct. 30, 1866	Gettysburg, Pa.....	July 2, 1863.....	Voluntarily assisted a wounded comrade to a place of apparent safety while the enemy were in close proximity; he received the fire of the enemy and a wound which resulted in the amputation of his left leg.
1812	Putnam, Edgar P., sergeant, Company D, Ninth New York Cavalry.	May 13, 1862	Crumps Creek, Va.....	May 27, 1864.....	With a small force on a reconnaissance, drove off a strong body of the enemy, charged into another force of the enemy's cavalry, and stampeded them, taking 27 prisoners.
1074	Putnam, Winthrop D., corporal, Company A, Seventy-seventh Illinois Infantry.	Apr. 4, 1868	Vicksburg, Miss.....	May 22, 1863.....	Carried, with others, by hand, a cannon up to and fired it through an embrasure of the enemy's works.
2403	Pym, James, private, Company B, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn River, Mont.	June 25, 1876.....	Voluntarily went for water, and secured the same, under heavy fire.
956	Quay, Matthew S., colonel One hundred and Thirty-fourth Pennsylvania Infantry.	July 9, 1868	Fredericksburg, Va.....	Dec. 13, 1862.....	Although out of service, he voluntarily resumed duty on the eve of battle and took a conspicuous part in the charge on the heights.
643	Quimby, Hossa, M., sergeant, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2507	Quinlan, James, major Eighty-eighth New York Infantry.	Feb. 18, 1861	Savage Station, Va.....	June 29, 1862.....	Led his regiment on the enemy's battery, silenced the guns, held the position against overwhelming numbers, and covered the retreat of the Second Army Corps.
2616	Quinn, Alexander M., sergeant, Company A, Thirtieth U. S. Infantry.	June 22, 1869	Santiago, Cuba.....	July 1, 1896.....	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy.
2569	Quinn, Peter H. (See addenda.)	Jan. 24, 1865	.....	.....	See note at end of table.
644	Quinsey, James, private, Company D, Twenty-seventh Maine Infantry.	Mar. 3, 1870	Lyry Creek, Ariz.....	Oct. 14, 1869.....	Gallantry in action with Indians.
2404	Raeck, John, private, Company L, Eighth U. S. Cavalry.	Aug. 2, 1867	Malvern Hill, Va.....	July 1, 1862.....	Having been wounded and directed to the rear, declined to go, but continued in action, receiving several additional wounds, which resulted in his capture by the enemy and his total disability for military service.
1300	Rafferty, Peter, private, Company B, Sixty-ninth New York Infantry.	Apr. 13, 1861	White Clay Creek, S. Dak.	Dec. 30, 1860.....	Bravery.
2405	Ragnar, Theodore, first sergeant, Company K, Seventh U. S. Cavalry.	Jan. 24, 1865	.....	.....	See note at end of table.
645	Randell, Paul R., private, Company D, Twenty-Seventh Maine Infantry.	Oct. 23, 1867	Blackburns Ford, Va.	July 18, 1861.....	Remained in action when a part of his regiment broke in disorder, joined another company and fought with it through the remainder of the engagement.
2508	Rand, Charles F., private, Company K, Twelfth New York Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
646	Rand, Edward M., adjutant, Twenty-seventh Maine Infantry.	Nov. 19, 1872	Red River, Tex.....	Sept. 29, 1872.....	Gallantry in action with Indians.
2406	Rankin, William, private, Company F, Fourth U. S. Cavalry.	Apr. 24, 1901	Resaca, Ga.....	May 14, 1864.....	At great personal risk went to the aid of a wounded soldier lying under heavy fire between the lines, and with the aid of an orderly carried him to a place of safety.
1735	Ranney, George E., assistant surgeon, Second Michigan Cavalry.	Mar. 23, 1865	Bull Run, Va.....	Aug. 30, 1862.....	Picked up the colors and carried them off the field after the color bearer had been shot down; was himself wounded.
1301	Ranney, Myron H., private, Company G, Thirteenth New York Infantry.	.....	.....	.....	.....

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1680	Ransbottom, Alfred, first sergeant, Company K, Ninety-seventh Ohio Infantry.	Feb. 24, 1865	Franklin, Tenn.	Nov. 30, 1864	Capture of flag in a hand-to-hand fight with a Confederate color bearer.
1822	Ratchliffe, Edward, First Sergeant, Company C, Thirty-eighth U. S. C. T.	Apr. 6, 1865	Chapin's farm, Virginia.	Sept. 20, 1864	Commanded and gallantly led his company after the commanding officer had been killed; was the first enlisted man to enter the enemy's works.
964	Raub, Jacob F., assistant surgeon, Two hundred and tenth Pennsylvania Infantry.	Apr. 20, 1866	Hatchers Run, Va.	Feb. 5, 1865	Discovering a flank movement by the enemy, apprised the commanding general, at great peril, and, though a noncombatant, voluntarily participated with the troops in repelling this attack.
2570	Ray, Charles W., sergeant, Company I, Twenty-second U. S. Infantry.	Apr. 18, 1902	Near San Isidro, Luzon, P. I.	Oct. 19, 1899	Captured a bridge with the detachment he commanded and held it against a superior force of the enemy, thereby enabling an army to come up and cross.
1467	Raymond, William H., corporal, Company A, One hundred and eighth New York Infantry.	Mar. 10, 1896	Gettysburg, Pa.	July 3, 1863	Voluntarily and under a severe fire brought a box of ammunition to his comrades on the skirmish line.
2061	Read, Morton A., lieutenant, Company D, Eighth New York Cavalry.	May 3, 1865	Appomattox Station, Va.	Apr. 8, 1865	Capture of flag of First Texas Infantry (C. S. A.).
2063	Rebmann, George F., sergeant, Company B, One hundred and nineteenth Illinois Infantry.	June 8, 1865	Blakely, Ala.	Apr. 9, 1865	Capture of flag.
942	Reddie, William H., corporal, Company B, Thirty-third Ohio Infantry.	Mar. 26, 1863	Georgia.	April, 1862	One of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell), penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta. See note at end of table.
647	Redlon, Gideon W. T., private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
648	Redlon, Isaac, private, Company C, Twenty-seventh Maine Infantry.	do.			
1448	Reed, Axel H., sergeant, company K, Second Minnesota Infantry.	Apr. 2, 1868	Chickamauga, Ga.	Sept. 19, 1863	While in arrest, left his place in the rear and voluntarily went to the line of battle, secured a rifle and fought gallantly during the 2 days' battle; was released from arrest in recognition of his bravery.
1560	Reed, Charles W., bugler, Ninth Independent Battery, Massachusetts Light Artillery.	Aug. 16, 1866	Missionary Ridge, Tenn.	Nov. 26, 1863	Commanded his company and gallantly led it, being among the first to enter the enemy's works; was severely wounded, losing an arm, but declined a discharge and remained in active service to the end of the war.
			Gettysburg, Pa.	July 2, 1863	Rescued his wounded captain from between the lines.

649	Reed, George C., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1681	Reed, George W., private, Company E, Eleventh Pennsylvania Infantry.	Sept. 6, 1864	Weldon Railroad, Va.	Aug. 21, 1864	Capture of flag of Twenty-fourth North Carolina Volunteers (C. S. A.)
306	Reed, James C., private, Company A, Eighth U. S. Cavalry.	July 24, 1869	Arizona	Apr. 29, 1868	Defended his position (with 3 others) against a party of 17 hostile Indians, under heavy fire at close quarters, the entire party except himself being severely wounded.
961	Reed, Thomas, private, Company C, Twenty-seventh New Jersey Infantry.	May 17, 1864	.....	June 17, 1863	Offered his services to the Government and remained in service several weeks after expiration of term of enlistment.
1132	Reed, William, private, Company H, Eighth Missouri Infantry.	Dec. 12, 1865	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
2063	Reeder, Charles A., private, Company G, Twelfth West Virginia Infantry.	Apr. 3, 1867	Battery Gregg, near Petersburg, Va.	Apr. 2, 1865	Capture of flag.
1376	Reid, Robert, private, Company G, Forty-eighth Pennsylvania Infantry.	Dec. 1, 1864	Petersburg, Va.	June 17, 1864	Capture of flag of Forty-fourth Tennessee Infantry (C. S. A.).
1662	Reigle, Daniel P., corporal, Company F, Eighty-seventh Pennsylvania Infantry.	Oct. 26, 1864	Cedar Creek, Va.	Oct. 19, 1864	Capture of flag.
1011	Reisinger, J. Munroe. (See addenda.)				
1163	Reminger, Louis, corporal, Company H, Thirty-seventh Ohio Infantry.	Aug. 16, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
2617	Ressler, Norman W., corporal, Company D, Seventh U. S. Infantry.	Aug. 21, 1869	El Caney, Cuba	July 1, 1868	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy.
1663	Reynolds, George, private, Company M, Ninth New York Cavalry.	Sept. 27, 1864	Winchester, Va.	Sept. 19, 1864	Capture of Virginia State flag.
650	Rhodes, Israel K., musician, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1302	Rhodes, Julius D., private, Company F, Fifth New York Cavalry.	Mar. 9, 1867	Thoroughfare Gap, Va.	Aug. 23, 1862	After having had his horse shot under him in the fight, he voluntarily joined the One hundred and fifth New York Volunteers and was conspicuous in the advance on the enemy's lines.
1863	Rhodes, Sylvester D., sergeant, Company D, Sixty-first Pennsylvania Infantry.	Feb. 16, 1867	Bull Run, Va.	Aug. 30, 1862	Gallantry in the advance on the skirmish line, where he was wounded.
1531	Rice, Edmund, major, Nineteenth Massachusetts Infantry.	Oct. 6, 1861	Fishers Hill, Va.	Sept. 22, 1864	Was on the skirmish line which drove the enemy from the first intrenchment, and was the first man to enter the breastworks, capturing one of the guns and turning it upon the enemy.
1736	Rich, Carlos H., first sergeant, Company K, Fourth Vermont Infantry.	Jan. 4, 1865	Gettysburg, Pa.	July 3, 1863	Conspicuous bravery on the third day of the battle, in the counter-charge against Pickett's Division, where he fell severely wounded within the enemy's lines.
651	Richards, Orin E., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Wilderness, Va.	May 5, 1864	Saved the life of an officer.
662	Richardson, Joseph P., private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	See note at end of table.
2116	Richardson, William E., private, Company A, Second Ohio Cavalry.	Apr. 7, 1866	Sailors Creek, Va.	Apr. 6, 1865	Do.
1532	Richey, William E., corporal, Company A, Fifteenth Ohio Infantry.	Nov. 9, 1863	Chickamauga, Ga.	Sept. 19, 1863	Having been captured and taken to the rear, made his escape, rejoined the Union lines, and furnished information of great importance as to the enemy's position and the approaches thereto. While on the extreme front, between the lines of the combatants, single handed he captured a Confederate major who was armed and mounted.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
2407	Richman, Samuel, private, Company E, Eighth U. S. Cavalry.	Sept. 6, 1860	Arizona.....	1860-1869.....	Bravery in actions with Indians.
1377	Richmond, James, private, Company F, Eighth Ohio Infantry.	Dec. 1, 1864	Gettysburg, Pa.....	July 3, 1863.....	Capture of flag.
653	Ricker, Alonzo F., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	do.....	See note at end of table.
654	Ricker, Phendeus H., private, Company K, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
655	Ricker, Timothy F., private, Company B, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
1084	Ricksecker, John H., private, Company D, One hundred and fourth Ohio Infantry.	Feb. 3, 1865	Franklin, Tenn.....	Nov. 30, 1864.....	Capture of flag of Sixteenth Alabama Artillery (C. S. A.).
2064	Riddell, Rudolph, lieutenant, Company I, Sixty-first New York Infantry.	May 10, 1865	Sailors Creek, Va.....	Apr. 6, 1865.....	Capture of flag.
656	Ridley, Joseph, private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	do.....	See note at end of table.
657	Ridley, Joseph H., private, Company I, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
658	Ridlon, Henry, private, Company A, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
659	Ridlon, John, private, Company A, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
660	Ridlon, William, private, Company H, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
2065	Riley, Thomas, private, Company D, First Louisiana Cavalry.	June 8, 1865	Fort Blakely, Ala.....	Apr. 4, 1865.....	Capture of flag.
661	Rines, George W., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	do.....	See note at end of table.
1303	Ripley, William Y. W., lieutenant colonel, First U. S. Sharpshooters.	Mar. 11, 1868	Malvern Hill, Va.....	July 1, 1862.....	At a critical moment brought up two regiments, which he led against the enemy, himself being severely wounded.
2408	Roach, Hampton M., corporal, Company F, Fifth U. S. Cavalry.	Jan. 27, 1880	Milk River, Colo.....	Sept. 29 to Oct. 5, 1879.....	Erected breastworks under fire; also kept the command supplied with water three consecutive nights, while exposed to fire from ambushed Indians at close range.
1894	Robbins, Augustus J., second lieutenant, Company B, Second Vermont Infantry.	Mar. 24, 1892	Spotsylvania, Va.....	May 12, 1864.....	While voluntarily serving as a staff officer, successfully withdrew a regiment across and around a severely exposed position to the rest of the command; was severely wounded.
2072	Robbins, Marcus M., private, Company H, Sixth U. S. Cavalry.	Nov. 16, 1876	Sappa Creek, Kans.....	Apr. 23, 1875.....	Gallantry in engagement with Indians.

662	Roberts, Alvah, private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2618	Roberts, Charles D., second lieutenant, Seventh South U. S. Infantry.	June 21, 1869	El Caney, Cuba.	July 1, 1868.	Gallantly assisted in the rescue of the wounded from in front of the line and under heavy fire from the enemy.
663	Roberts, Diamond, Jr., corporal, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
664	Roberts, George H., sergeant, Company I, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
665	Roberts, John, private, Company G, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
666	Roberts, Joshua, private, Company G, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
667	Roberts, Luke H., corporal, Company I, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1430	Roberts, Otis O., sergeant, Company H, Sixth Maine Infantry.	Dec. 28, 1863	Rappahannock Station, Va.	Nov. 7, 1863.	Capture of flag of Eighth Louisiana Infantry (C. S. A.), in a hand to hand struggle with the color bearer.
668	Roberts, William F., corporal, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1827	Robertson, Robert S., first lieutenant, Company K, Ninety-third New York Infantry.	Aug. 2, 1867	Corbin's Bridge, Va.	May 8, 1864.	While acting as aid-de-camp to a general officer, seeing a regiment break to the rear, he seized its colors, rode with them to the front in the face of the advancing enemy, and rallied the retreating regiment.
2571 943	Robertson, Marcus W. (See addenda) Robertson, Samuel, private, Company G, Thirty-third Ohio Infantry.	Sept. —, 1863	Georgia.	April, 1862.	1 of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell) penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta.
1865	Robie, George F., sergeant, Company D, Seventeenth New Hampshire Infantry.	June 12, 1863	Before Richmond, Va.	Sept. —, 1864.	Gallantry on the skirmish line.
669	Robinson, Edwin A., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1556	Robinson, Elbridge, private, Company C, One hundred and twenty-second Ohio Infantry.	Apr. 5, 1868	Winchester, Va.	June 14, 1863.	With 1 companion, voluntarily went in front of the Union line, under a heavy fire from the enemy, and carried back a helpless, wounded comrade, thus saving him from death or capture.
670	Robinson, Emory S., private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
671	Robinson, George E., private, Company I, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
672	Robinson, Horace V., corporal, Company I, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
2509	Robinson, James H., private, Company B, Third Michigan Cavalry.	Apr. 4, 1865	Arkansas.	.....	Successfully defended himself, single handed, against seven guerrillas, killing the leader and driving off the remainder of the party.
1378	Robinson, John, private, Company I, Nineteenth Massachusetts Infantry.	Dec. 1, 1864	Gettysburg, Pa.	July 3, 1863.	Capture of flag of Fifty-seventh Virginia Infantry (C. S. A.).

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1773	Robinson, John C., brigadier general, U. S. Volunteers.	Mar. 23, 1864	Laurel Hill, Va.	May 8, 1864.	Placed himself at the head of the leading brigade in a charge upon the enemy's breastworks: was severely wounded. Discharged his duties while in charge of the skirmish line under fire with judgment and great coolness, and brought up the led horses at a critical moment. See note at end of table.
2409	Robinson, Joseph, first sergeant, Company D, Third U. S. Cavalry.	Jan. 22, 1860	Roseland River, Mont.	June 17, 1876.	
673	Robinson, Omen W., private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
1379	Robinson, Thomas, private, Company H, Eighty-first Pennsylvania Infantry.	Dec. 1, 1864	Spottsylvania, Va.	May 12, 1864.	
2410	Roebe, David, first sergeant, Company A, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876, to Jan. 8, 1877.	Capture of flag in a hand-to-hand conflict.
1134	Rock, Frederick, private, Company A, Thirty-seventh Ohio Infantry.	Aug. 10, 1864	Vicksburg, Miss.	May 22, 1863.	Gallantry in actions.
2165	Rockefeller, Charles M., lieutenant, Company A, One hundred and seventy-eighth New York Infantry.	Aug. 2, 1897	Fort Blakely, Ala.	Apr. 9, 1865.	Gallantry in the charge of the "volunteer storming party."
1774	Rodenbough, Theophilus F., captain, Second U. S. Cavalry.	Sept. 21, 1863	Trevilian Station, Va.	June 11, 1864.	Voluntarily and alone, under a heavy fire, obtained valuable information, which a reconnoitering party of 25 men had previously attempted and failed to obtain, suffering severe loss in the attempt. The information obtained by him was made the basis of the orders for the assault that followed. He also advanced with a few followers, under the fire of both sides, and captured 300 of the enemy who would otherwise have escaped.
2411	Rodenburg, Henry, private, Company A, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876, to Jan. 8, 1877.	Handled the regiment with great skill and valor; was severely wounded.
2412	Rogan, Patrick, sergeant, Company A, Seventh U. S. Infantry.	Dec. 2, 1878	Big Hole, Mont.	Aug. 9, 1877.	Gallantry in actions.
1737	Rohm, Ferdinand F., chief bugler, Sixteenth Pennsylvania Cavalry.	Oct. 16, 1897	Reams Station, Va.	Aug. 25, 1864.	Verified and reported the company while subjected to a galling fire from the enemy.
2413	Romney, Henry, first lieutenant, Fifth U. S. Infantry.	Nov. 27, 1894	Bear Paw Mountain, Mont.	Sept. 30, 1877.	While his regiment was retreating under fire, voluntarily remained behind to succor a wounded officer who was in great danger, secured assistance, and removed the officer to a place of safety.
1380	Roed, Oliver P., private, Company B, Twentieth Indiana Infantry.	Dec. 1, 1864	Gettysburg, Pa.	July 3, 1863.	Led his command into close range of the enemy, there maintained his position, and vigorously prosecuted the fight until he was severely wounded.
2414	Rooney, Edward, private, Company D, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876, to Jan. 8, 1877.	Capture of flag of Twenty-first North Carolina Infantry (C. S. A.).
1304	Rossett, George W., first sergeant, Company K, Twenty-fourth Pennsylvania Infantry.	July 2, 1887	(Bull Run, Va.) (Gettysburg, Pa.)	Aug. 30, 1862 July 2, 1863.	Gallantry in actions. Recaptured the colors, which had been seized by the enemy. Captured a Confederate color bearer and color, in which effort he was severely wounded.

2572	Ross, Frank F. (See addenda.)	Jan. 24, 1865	.....	See note at end of table.
674	Ross, Albert, private, Company C, Twenty-seventh Maine Infantry.	do.....	.....	Do.
675	Ross, Hough, private, Company H, Twenty-seventh Maine Infantry.	Sept. —, 1863	Georgia.....	April, 1862.....
944	Ross, Marion A., sergeant-major, Second Ohio Infantry.	.....	.....	.....
1201	Rosbach, Valentine, sergeant, Thirty-fourth New York Battery.	July 10, 1866	Spottsylvania, Va.....	May 12, 1864.....
1003	Roth, Peter, private, Company A, Sixth U. S. Cavalry.	Nov. 4, 1874	Washita River, Tex.....	Sept. 12, 1874.....
1381	Rought, Stephen, sergeant, Company A, One hundred and forty-first Pennsylvania Infantry.	Dec. 1, 1864	Wilderness, Va.....	May 6, 1864.....
676	Rounds, Daniel, wagoner, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....
677	Rounds, Joseph G., private, Company C, Twenty-seventh Maine Infantry.	do.....	.....	.....
1382	Rounds, Lewis A., private, Company D, Eighth Ohio Infantry.	Dec. 1, 1864	Spottsylvania, Va.....	May 12, 1864.....
678	Rounds, Melville, K., private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....
1488	Roush, J. Levi, corporal, Company D, Sixth Pennsylvania Reserves.	Aug. 3, 1867	Gettysburg, Pa.....	July 2, 1863.....
2415	Rowalt, John F., private, Company L, Eighth U. S. Cavalry.	Mar. 2, 1870	Lyrr Creek, Ariz.....	Oct. 14, 1869.....
1915	Rowand, Archibald H., private, Company K, First West Virginia Cavalry.	Mar. 3, 1873	James River raid.....	Winter of 1864-65.....
994	Rowdy, sergeant, Company A, Indian Scouts.	May 15, 1860	Arizona.....	Mar. 7, 1860.....
1383	Rowe, Henry W., private, Company I, Eleventh New Hampshire Infantry.	Dec. 1, 1864	Petersburg, Va.....	June 17, 1864.....
679	Rowell, Alexander, private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....
2416	Roy, Stanislaus, sergeant, Company A, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn, Mont.	June 25, 1876.....
1135	Rumde, Charles W., private, Company A, One hundred and sixteenth Illinois Infantry.	July 26, 1864	Vicksburg, Miss.....	May 22, 1863.....
1384	Russell, Charles L., corporal, Company H, Ninety-third New York Infantry.	Dec. 1, 1864	Spottsylvania, Va.....	May 12, 1864.....
2417	Russell, James, private, Company G, First U. S. Cavalry.	Feb. 14, 1870	Chiricahua Mountains, Ariz.	Oct. 20, 1869.....

See note at end of table.

Do.

1 of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell), penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta.

Encouraged his comrades to hold a very dangerous position, and when all depended on several good shots, it was from his piece that the most effective were delivered, causing the enemy's fire to cease and thereby relieving the critical position of the Federal troops.

Gallantry in action with Indians.

Capture of flag of Thirteenth North Carolina Infantry (C. S. A.).

See note at end of table.

Do.

Capture of flag.

See note at end of table.

Was one of 6 volunteers who charged upon a log house near the Devils Den, where a squad of the enemy's sharpshooters were sheltered, and compelled their surrender.

Gallantry in action with Indians.

Was one of the 2 men who succeeded in getting through the enemy's lines with dispatches to Gen. Grant.

Bravery in action with Apache Indians.

Capture of flag.

See note at end of table.

Brought water to the wounded at great danger to life and under most falling fire of the enemy.

Gallantry in the charge of the "volunteer storming party."

Capture of flag of Forty-second Virginia Infantry (C. S. A.).

Gallantry in action with Indians.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1305	Russell, Milton, captain Company A, Fifty-first Indiana Infantry.	Sept. 28, 1897	Stone River, Tenn.	Dec. 29, 1892.	Was the first man to cross Stone River, and in the face of a galling fire from the concealed skirmishers of the enemy, led his men up the hillside, driving the opposing skirmishers before them. See note at end of table.
690	Russell, Otis F., chaplain Twenty-seventh Maine Infantry.	Jan. 24, 1865			
1813	Rutherford, John T., First lieutenant Company L, Ninth New York Cavalry.	Mar. 22, 1862	Yellow Tavern, Va. Hanovertown, Va.	May 11, 1864 May 27, 1864	Made a successful charge, by which 90 prisoners were captured. In a gallant dash on a superior force of the enemy, and in a personal encounter, captured his opponent. At great risk of his life, went to the assistance of a wounded comrade, and while under fire removed him to a place of safety.
1561	Rutter, James M., sergeant, Company C, One hundred and forty-third Pennsylvania Infantry.	Oct. 30, 1866	Gettysburg, Pa.	July 1, 1863.	Gallantry in actions.
1943	Ryan, David, private, Company G, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876, to Jan. 8, 1877.	Courage while in command of a detachment.
2418	Ryan, Dennis, first sergeant Company I, Sixth U. S. Cavalry.	Apr. 23, 1875	Gageby Creek, Ind. T.	Dec. 2, 1874.	With 1 companion captured 14 Confederates in the severest part of the battle.
1814	Ryan, Peter J., private, Company D, Eleventh Indiana Infantry.	Apr. 4, 1865	Winchester, Va.	Sept. 19, 1864.	Saved from capture a gun of the Fifth Maine Battery.
1572	Sacriste, Louis J., first lieutenant Company D, One hundred and sixteenth Pennsylvania Infantry.	Jan. 31, 1889	Chancellorsville, Va. Auburn, Va.	May 3, 1863 Oct. 14, 1863	Voluntarily carried orders which resulted in saving from destruction or capture the picket line of the First Division, Second Army Corps.
661	Sadler, Edwin A., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2572	Sage, William H., captain, Twenty-third U. S. Infantry.	July 24, 1902	Near Zapote River, Luzon, P. I.	June 13, 1899.	With 9 men volunteered to hold an advanced position, and held it against a terrific fire of the enemy, estimated at 1,000 strong. Taking a rifle from a wounded man and cartridges from the belts of others, Capt. Sage himself killed five of the enemy.
2184	Sagehurst, John C. (See addenda.)				
2419	Sale, Albert, private, Company F, Eighth U. S. Cavalry.	Mar. 3, 1870	Santa Maria River, Ariz.	June 29, 1869.	Gallantry in killing an Indian warrior and capturing pony and effects.
682	Sampson, Moses T., first sergeant Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
683	Sanborn, Charles P., private, Company H, Twenty-seventh Maine Infantry.	do.			Do.
684	Sanborn, Charles P., corporal, Company K, Twenty-seventh Maine Infantry.	do.			Do.
685	Sanborn, Elias, private, Company C, Twenty-seventh Maine Infantry.	do.			Do.

686	Sanborn, John W., private, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.	
687	Sanborn, Nelson, private, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.	
688	Sanborn, Warren G., private, Company A, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.	
1885	Sancranite, Charles F., private, Company B, Fifteenth Michigan Infantry.	July 25, 1892	Atlanta, Ga.	July 22, 1864	Voluntarily scaled the enemy's breastworks and signaled to his commanding officer to charge; also in single combat captured the colors of the Fifth Texas Regiment. Grasped the enemy's colors in the face of a deadly fire, and brought them inside the lines.	
2006	Sands, William, first sergeant Company G, Eighty-eighth Pennsylvania Infantry.	Nov. 9, 1863	Dabneys Mills, Va.	Feb. 6-7, 1865	Gallantry in the charge of the "volunteer storming party."	
1136	Sanford, Jacob, private, Company F, Fifty-fifth Illinois Infantry.	Sept. 2, 1863	Vicksburg, Miss.	May 22, 1863	First to scale the enemy's works and plant the colors thereon.	
2117	Sargent, Jackson, sergeant, Company D, Fifth Vermont Infantry.	Oct. 28, 1891	Petersburg, Va.	Apr. 2, 1865	Was severely wounded by a gunshot in his left arm, went half a mile to the rear, but insisted on returning to his company, and continued to fight bravely until he became exhausted from the loss of blood and was compelled to retire from the field.	
1533	Sartwell, Henry, sergeant, Company D, One hundred and twenty-third New York Infantry.	Nov. 17, 1896	Chancellorsville, Va.	May 3, 1863	Capture of flag.	
2067	Savaseol, Edwin F., captain Company K, First New York (Lincoln) Cavalry.	Apr. 24, 1865	Sallors Creek, Va.	Apr. 6, 1865	See note at end of table.	
689	Sawyer, Isaac, private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	Do.	
690	Sawyer, Joseph R., private, Company C, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.	
691	Sawyer, Obadiah, private, Company A, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.	
1306	Saxton, Rufus, brigadier general, U. S. Volunteers.	Apr. 25, 1863	Harpers Ferry, Va.	May 26 to 30, 1862	Distinguished gallantry and good conduct in the defense.	
692	Scammon, Nicholas, corporal, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.	
1738	Scanlan, Patrick, private, Company A, Fourth Massachusetts Cavalry.	Jan. 21, 1897	Ashpoo River, S. C.	May 24, 1864	Volunteered as a member of a boat crew which went to the rescue of a large number of Union soldiers on board the stranded steamer Boston, and with great gallantry assisted in conveying them to shore, being exposed during the entire time to a heavy fire from a Confederate battery.	
693	Scates, David W. C., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.	
1534	Scheubner, Martin E., private, Company D, Ninetieth Pennsylvania Infantry.	June 23, 1896	Mine Run, Va.	Nov. 27, 1863	Voluntarily extinguished the burning fuse of a shell which had been thrown into the lines of the regiment by the enemy.	
1137	Schenck, Benjamin W., private, Company D, One hundred and sixteenth Illinois Infantry.	Aug. 14, 1894	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."	
1864	Schuller, John, private, Company E, One hundred and fifty-eighth New York Infantry.	Apr. 6, 1865	Chaplin's farm, Virginia.	Sept. 29, 1864	Advanced to the ditch of the enemy's works.	

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1385	Schlaechter, Philip, private, Company F, Seventy-third New York Infantry.	Dec. 1, 1864	Spottsylvania, Va.....	May 12, 1864.....	Capture of flag of Fifteenth Louisiana Infantry (C. S. A.).
2068	Schmal, George W., blacksmith, Company M, Twenty-fourth New York Cavalry.	May 3, 1865	Palme's Cross Roads, Va.....	Apr. 5, 1865.....	Capture of flag.
1138	Schmauch, Andrew, private, Company A, Thirtieth Ohio Infantry.	July 9, 1864	Vicksburg, Miss.....	May 22, 1863.....	Gallantry in the charge of the "volunteer storming party."
1896	Schmidt, Conrad, first sergeant, Company K, Second U. S. Cavalry.	Mar. 16, 1896	Winchester, Va.....	Sept. 19, 1864.....	Went to the assistance of his regimental commander whose horse had been killed under him in a charge, mounted the officer behind him, under a heavy fire from the enemy, and returned him to his command. Rescued a wounded comrade under terrific fire.
1562	Schmidt, William, private, Company G, Thirty-seventh Ohio Infantry.	Nov. 9, 1865	Missionary Ridge, Tenn.....	Nov. 25, 1863.....	After the color sergeant had been shot down, seized the colors and planted them on the enemy's works during the charge.
1204	Schneider, George, sergeant, Company A, Third Maryland Veteran Infantry.	July 27, 1866	Petersburg, Va.....	July 30, 1864.....	Gallantry in the charge of the "volunteer storming party."
1139	Schnell, Christian, corporal, Company C, Thirty-seventh Ohio Infantry.	July 10, 1864	Vicksburg, Miss.....	May 22, 1863.....	Assisted, under a heavy fire, to rescue a wounded comrade.
2420	Schnitzer, John, wagoner, Troop G, Fourth U. S. Cavalry.	Aug. 17, 1866	Horseshoe Canyon, N. Mex.....	Apr. 28, 1863.....	Was conspicuously gallant in leading a regiment in a successful charge against the enemy.
1053	Schofield, John M., major, First Missouri Infantry.	July 2, 1862	Wilson's Creek, Mo.....	Aug. 10, 1861.....	Carried dispatches to Fort Buford.
2421	Schon, Julius, corporal, Company I, Twenty-second U. S. Infantry.	Nov. 19, 1864	Sioux campaign.....	1876.....	At a critical period, gallantly led a cavalry charge against the left of the enemy's line of battle, drove the enemy out of his works and captured many prisoners.
1775	Schoonmaker, James M., colonel, Fourteenth Pennsylvania Cavalry.	May 19, 1899	Winchester, Va.....	Sept. 19, 1864.....	Capture of flag of the Sumter Flying Artillery (C. S. A.).
2096	Schorn, Charles, chief bugler, Company M, First West Virginia Cavalry.	May 3, 1865	Appomattox, Va.....	Apr. 8, 1865.....	With 22 men, defeated 400 insurgents, killing 36 and wounding 90.
2574	Schroeder, Henry F., sergeant, Company L, Sixteenth U. S. Infantry.	Mar. 10, 1902	Carig, P. I.....	Sept. 14, 1900.....	Gallantry in action.
2422	Schroeter, Charles, private, Company G, Eighth U. S. Cavalry.	Feb. 14, 1870	Chiricahua Mountains, Ariz.....	Oct. 20, 1866.....	Relinquished a furlough granted for wounds, entered the battle, where he picked up the colors after several bearers had been killed or wounded, and carried them until himself again wounded.
1807	Schubert, Martin, private, Company E, Twenty-sixth New York Infantry.	Sept. 1, 1863	Fredericksburg, Va.....	Dec. 12, 1862.....	At the imminent risk of his own life, while his regiment was falling back before a superior force of the enemy, he dragged a wounded and helpless officer to the rear, thus saving him from death or capture.
1789	Schwan, Theodore, first lieutenant, Tenth U. S. Infantry.	Dec. 12, 1898	Feeble's farm, Virginia.....	Oct. 1, 1864.....	Bravery in an attempt to carry a communication through the enemy's lines; also rescued an officer from the hands of the enemy.
1577	Schwan, Martin, sergeant, Company B, Sixth U. S. Cavalry.	Apr. 28, 1889	Millertown, Pa.....	July —, 1863.....	

1686	Goodfield, David H., quartermaster sergeant, Company K, Fifth New York Cavalry.	Oct. 26, 1864	Cedar Creek, Va.	Oct. 19, 1864.	Capture of flag of Thirteenth Virginia Infantry (C. S. A.).
1606	Scott, Alexander, corporal, Company D, Tenth Vermont Infantry.	Sept. 28, 1867	Monocacy, Md.	July 9, 1864.	Under a very heavy fire of the enemy, saved the national flag of his regiment from capture.
2423	Scott, George, private, Company D, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn, Mont.	June 26-28, 1876.	Voluntarily brought water to the wounded, under fire.
945	Scott, John M., sergeant, Company F, Twenty-first Ohio Infantry.	Aug. 4, 1866	Georgia.	April, 1862.	1 of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell) penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and tracks between Chattanooga and Atlanta.
2070	Scott, John Wallace, captain, Company D, One hundred and fifty-seventh Pennsylvania Infantry.	Apr. 27, 1865	Five Forks, Va.	Apr. 1, 1865.	Capture of flag.
1308	Scott, Julian A., drummer, Company E, Third Vermont Infantry.	Feb. —, 1865.	Lees Mills, Va.	Apr. 16, 1862.	Crossed the creek, under a terrific fire of musketry, several times, to assist in bringing off the wounded.
2424	Scott, Robert B., private, Company G, Eighth U. S. Cavalry.	Feb. —, 1870	Chiricahua Mountains, Ariz.	Oct. 20, 1869.	Gallantry in action.
694	Scrignius, Charles H., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1555	Seaman, Elisha B., private, Company A, Sixty-sixth Ohio Infantry.	June 24, 1862	Chancellorsville, Va.	May 2, 1863.	Was 1 of a party of 4 who voluntarily brought into the Union lines, under fire, a wounded Confederate officer, from whom was obtained valuable information concerning the enemy.
1309	Sears, Cyrus, first lieutenant, Eleventh Battery, Ohio Light Artillery.	Dec. 31, 1862	Iuka, Miss.	Sept. 19, 1862.	Although severely wounded, fought his battery until the cannoneers and horses were nearly all killed or wounded.
1776	Seaver, Thomas O., colonel Third Vermont Infantry.	Apr. 8, 1862	Spottsylvania Court House, Va.	May 10, 1864.	At the head of 3 regiments, and under a most galling fire, attacked and occupied the enemy's works.
695	Seavey, Frank, private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
926	Sedgwick, Irvin M., first sergeant, Company H, Eighteenth V. R. C.	May 20, 1865		April, 1865.	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
1604	Seltzinger, James M. (See addenda.)	July 21, 1894	Gettysburg, Pa.	July 1, 1863.	Voluntarily led the regiment, under a withering fire, to a position from which the enemy was repulsed.
1444	Sellers, Alfred J., major, Ninetieth Pennsylvania Infantry.	Apr. 6, 1865	Winchester, Va.	Sept. 19, 1864.	Gallant and meritorious service in carrying the regimental colors.
1607	Seston, Charles H., sergeant, Company I, Eleventh Indiana Infantry.	Jan. 24, 1865			See note at end of table.
696	Sevall, Joseph A., private, Company G, Twenty-seventh Maine Infantry.	Feb. 14, 1870	Chiricahua Mountains, Ariz.	Oct. 20, 1869.	Gallantry in action.
2425	Seward, Griffin, wagoner, Company G, Eighth U. S. Cavalry.	Mar. 25, 1866	Chancellorsville, Va.	May 3, 1863.	Assuming command of a brigade, he rallied around his colors a mass of men from other regiments and fought these troops with great brilliancy through several hours of desperate conflict, remaining in command though wounded and inspiring them by his presence and the gallantry of his personal example.
1536	Sewall, William J., colonel, Fifth New Jersey Infantry.				Bravery in scouts and actions with Indians.
987	Shaffer, William, private, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona.	August to October, 1863.	Remained to the close of the battle, although severely wounded.
1310	Shaffer, William, R., first lieutenant, Company I, Seventh Michigan Infantry.	June 12, 1865	Fair Oaks, Va.	May 31, 1862.	
2071	Shahan, Emilsire, corporal, Company A, First West Virginia Cavalry.	May 3, 1865	Sallors Creek, Va.	Apr. 6, 1865.	Capture of flag of Seventy-sixth Georgia Infantry (C. S. A.).

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1450	Ehler, Alexander, colonel, Sixty-fifth New York Infantry.	Nov. 25, 1893	Marleys Heights, Va.	May 3, 1863.	At a most critical moment, the head of the charging column being about to be crushed by the severe fire of the enemy's artillery and infantry, he pushed forward with a supporting column, pierced the enemy's works, and turned their flank. <i>Capture of flag.</i>
1311	Shambaugh, Charles, corporal, Company B, Eleventh Pennsylvania Reserve.	July 17, 1866	Charles City Cross Roads, Va.	June 30, 1862.	
1855	Shanes, John, private, Company K, Fourteenth West Virginia Infantry.	Jan. 31, 1896	Carter's farm, Virginia	July 20, 1864.	Charged upon a Confederate field piece in advance of his comrades, and by his individual exertions silenced the piece.
1480	Shapland, John, private, Company D, One hundred and fourth Illinois Infantry.	Oct. 30, 1867	Elk River, Tenn.	July 2, 1863.	Voluntarily joined a small party that, under a heavy fire, captured a stockade and saved the bridge.
667	Shapleigh, Fennis M., second lieutenant, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
668	Shapleigh, John, private, Company G, Twenty-seventh Maine Infantry.	do.			Do.
699	Shapleigh, Morris G., private, Company G, Twenty-seventh Maine Infantry.	do.			Do.
700	Shapleigh, Roscoe G., private, Company G, Twenty-seventh Maine Infantry.	do.			Do.
701	Shapleigh, William H., private, Company G, Twenty-seventh Maine Infantry.	do.			Do.
2204	Sharpless, Edward C., corporal, Company H, Sixth U. S. Cavalry.	Apr. 23, 1875	Upper Washita, Tex.	Sept. 9-11, 1874.	While carrying dispatches was attacked by 125 hostile Indians, whom he (and a comrade) fought throughout the day.
2575	Shaw, George C. (See addenda.)	Jan. 24, 1895			See note at end of table.
702	Shaw, J. Lyman, private, Company D, Twenty-seventh Maine Infantry.	Dec. 7, 1860	Carlizo Canyon, N. Mex.	Aug. 12, 1881.	Forced the enemy back after stubbornly holding his ground in an extremely exposed position, and prevented the enemy's superior numbers from surrounding his command.
2426	Shaw, Thomas, sergeant, Company K, Ninth U. S. Cavalry.	Mar. —, 1866	Chapin's farm, Virginia.	Sept. 29, 1864.	Gallantry in bringing wounded from the field under heavy fire.
1740	Shea, Joseph H., private, Company K, Ninety-second New York Infantry.	Aug. 12, 1875	Near Fort Selden, N. Mex.	July 8-11, 1873.	Service against hostile Indians.
1042	Sheerin, John, blacksmith, Company C, Eighth U. S. Cavalry.	Jan. 24, 1865			See note at end of table.
703	Sheehan, George R., private, Company F, Twenty-seventh Maine Infantry.				

1687	Shellenberger, John S., corporal, Company B, Eighty-fifth Pennsylvania Infantry.	Apr. 6, 1865	Deep Run, Va.....	Aug. 16, 1864.....	Capture of flag.
2576	Shelton, George M., private, Company I, Twenty-third U. S. Infantry.	Mar. 10, 1902	La Paz, Leyte, P. I.....	Apr. 26, 1900.....	Advanced alone, under heavy fire of the enemy, and rescued a wounded comrade.
1461	Shepard, Irwin, corporal, Company E, Seventeenth Michigan Infantry.	Aug. 3, 1897	Knoxville, Tenn.....	Nov. 20, 1863.....	Having voluntarily accompanied a small party to destroy buildings within the enemy's lines, whence sharpshooters had been firing, disregarded an order to retire, remained and completed the firing of the buildings, thus insuring their total destruction; this at the imminent risk of his life from the fire of the advancing enemy.
2619	Shepherd, Warren J., corporal, Company D, Seventh U. S. Infantry.	Aug. 21, 1899	El Caney, Cuba.....	July 1, 1868.....	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy.
2072	Shepherd, William, private, Company A, Third Indiana Cavalry.	May 3, 1865	Sallors Creek, Va.....	Apr. 6, 1865.....	Capture of flag.
2427	Sheppard, Charles, private, Company A, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont	Oct. 21, 1876, to Jan. 8, 1877.....	Bravery in action with Sioux.
1386	Sherman, Marshall, private, Company C, First Minnesota Infantry.	Dec. 1, 1864	Gettysburg, Pa.....	July 3, 1863.....	Capture of flag of Fifty-eighth Virginia Infantry (C. S. A.).
1312	Shiel, John, corporal, Company E, Ninetieth Pennsylvania Infantry.	Jan. 21, 1897	Fredericksburg, Va.....	Dec. 13, 1862.....	Carried a dangerously wounded comrade into the Union lines, thereby preventing his capture by the enemy.
2577	Shields, George F., (See Addenda.)	May 3, 1865	Appomattox, Va.....	Apr. 8, 1865.....	Capture of flag of the Washington Artillery (C. S. A.).
2073	Shields, Bernard, private, Company E, Second West Virginia Cavalry.	Sept. 6, 1864	Weldon Railroad, Va.	Aug. 21, 1864.....	Capture of flag.
1688	Shilling, John, first sergeant Company H, Third Delaware Infantry.	June 1, 1890	Rosebud River, Mont.	June 17, 1876.....	Gallantry in action. (This soldier served under the name of John Henry.)
2428	Shingle, John H.....	May 10, 1865	Five Forks, Va.....	Apr. 1, 1865.....	Capture of flag.
2074	Shipley, Robert F., sergeant, Company A, One hundred and fortieth New York Infantry.	Nov. 26, 1864	Nineveh, Va.....	Nov. 12, 1864.....	Capture of flag of Twenty-second Virginia Cavalry (C. S. A.).
1689	Shoemaker, Levi, sergeant, Company A, First West Virginia Cavalry.	Apr. 27, 1865	Five Forks, Va.....	Apr. 1, 1865.....	Capture of flag.
2075	Shopp, George J., private, company E, One hundred and ninety-first Pennsylvania Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
704	Shory, Henry W., private, Company B, Twenty-seventh Maine Infantry.	May 10, 1865	Petersburg, Va.....	Apr. 2, 1865.....	Capture of 2 markers.
2076	Shubert, Frank, sergeant, Company E, Forty-third New York Infantry.	Oct. 30, 1897	Gettysburg, Pa.....	July 2, 1863.....	Displayed most conspicuous gallantry on the field, vigorously contesting the advance of the enemy and continuing to encourage his troops after being himself severely wounded.
1507	Sickles, Daniel E., major general, U. S. Volunteers.	Apr. 6, 1892	Gaines Mills, Va.....	June 27, 1862.....	Distinguished bravery in battle.
1313	Sidman, George D., private, Company C, Sixteenth Michigan Infantry.	Apr. 24, 1865	Sallors Creek, Va.....	Apr. 6, 1865.....	Capture of flag.
2077	Simmons, John, private, Company D, Second New York Heavy Artillery.	Feb. 24, 1865	Nashville, Tenn.....	Dec. 16, 1864.....	Capture of flag of Thirty-fourth Alabama Infantry (C. S. A.).
1690	Simmons, William T., lieutenant, Company C, Eleventh Missouri Infantry.	Feb. 26, 1899	Irish Bend, La.....	Apr. 14, 1863.....	Displayed great gallantry, under a heavy fire from the enemy, in calling in the skirmishers and assisting in forming the line of battle.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1203	Simons, Charles J., sergeant, Company A, Ninth New Hampshire Infantry.	July 27, 1896	Petersburg, Va.	July 30, 1894	Was one of the first in the exploded mine, captured a number of prisoners, and was himself captured, but escaped. See note at end of table.
706	Simpson, Enoch A., private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1895			See William H. Matthews.
1202	Sivel, Henry, first sergeant Company E, Second Maryland Veteran Infantry.				
1608	Skellie, Ebenezer, corporal, Company D, One hundred and twelfth New York Infantry.	Apr. 6, 1895	Chapin's farm, Virginia.	Sept. 20, 1894	Took the colors of his regiment, the color bearer having fallen, and carried them through the first charge; also, in the second charge, after all the color guard had been killed or wounded, he carried the colors up to the enemy's works, where he fell wounded. See note at end of table.
706	Skilling, Daniel, musician, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1895			Do.
707	Skilling, Lorenzo D., private, Company F, Twenty-seventh Maine Infantry.	do.			Do.
708	Skinner, John B., private, Company F, Twenty-seventh Maine Infantry.	do.			Do.
1016	Skinner, John O. (See Addenda.)	July 19, 1895	Resaca, Ga.	May 14, 1894	While detailed as clerk at headquarters, voluntarily engaged in action at a critical moment and by personal example inspired the troops to repel the enemy.
1798	Sladen, Joseph A., private, Company A, Thirty-third Massachusetts Infantry.	Oct. 30, 1897	Elk River, Tenn.	July 2, 1893	Voluntarily joined a small party that, under a heavy fire, captured a stockade and saved the bridge.
1481	Slagle, Oscar, private, Company D, One hundred and fourth Illinois Infantry.	July 28, 1893	Georgia	April, 1893	One of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell), penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and tracks between Chattanooga and Atlanta.
946	Slavens, Samuel, private, Company E, Thirty-third Ohio Infantry.				Single handed and alone defended his dead and wounded comrades against a greatly superior force of the enemy. Capture of flag.
2678	Stetteland, Thomas, private, Company C, First North Dakota Infantry.	Mar. 11, 1902	Near Paete, Luzon, P. I.	Apr. 12, 1899	Voluntarily crossed a branch of the Potomac River, under fire, to rescue a wounded comrade held prisoner by the enemy; was wounded and taken prisoner in the attempt. See Note at end of table.
1691	Sloan, Andrew J., private, Company H, Twelfth Iowa Infantry.	Feb. 24, 1895	Nashville, Tenn.	Dec. 16, 1894	
1563	Slusher, Henry C., private, Company F, Twenty-second Pennsylvania Cavalry.	Apr. 4, 1898	Near Moorefield, W. Va.	Sept. 11, 1893	
709	Small, Alfred, corporal, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1895			

710	Small, Arthur L., private, Company K, Twenty-seventh Maine Infantry.	do.....	.....	Do.
711	Small, John C., private, Company H, Twenty-seventh Maine Infantry.	do.....	.....	Do.
712	Small, Lewis L., private, Company A, Twenty-seventh Maine Infantry.	do.....	.....	Do.
713	Small, Roland E., private, Company F, Twenty-seventh Maine Infantry.	do.....	.....	Do.
1140	Smalley, Reuben, private, Company F, Eighty-third Indiana Infantry.	July 9, 1864	Vicksburg, Miss.	Gallantry in the charge of the "volunteer storming party."
1482	Smalley, Reuben S., private, Company D, One hundred and fourth Illinois Infantry.	Oct. 30, 1863	Elk River, Tenn.	Voluntarily joined a small party that, under a heavy fire, captured a stockade and saved the bridge.
714	Smart, Almond O., captain, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	See note at end of table.
1692	Smith, Alonzo, sergeant, Company C, Seventh Michigan Infantry.	Dec. 1, 1864	Hatchers Run, Va.	Capture of flag of Twenty-sixth North Carolina Infantry (C. S. A.).
715	Smith, Anasas, private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	See note at end of table.
2429	Smith, Arthur J., sergeant, Company G, Eighth U. S. Cavalry.	Feb. 14, 1870	Charlestown Mountains, Ark.	Gallantry in action.
716	Smith, Atwood F., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	See note at end of table.
717	Smith, Charles B., private, Company F, Twenty-seventh Maine Infantry.	do.....	.....	Do.
2430	Smith, Charles F., corporal, Company H, Sixth U. S. Cavalry.	Aug. 25, 1870	Wichita River, Tex.	Gallantry in action.
718	Smith, Charles F., corporal, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	See note at end of table.
1897	Smith, Charles H., colonel, First Maine Cavalry.	Apr. 11, 1865	St. Mary's Church, Va.	Remained in the fight to the close, although severely wounded.
719	Smith, Charles T., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	See note at end of table.
2431	Smith, Cornelius C., corporal, Company K, Sixth U. S. Cavalry.	Feb. 4, 1861	Near White River, S. Dak.	With 4 men of his troop, drove off a superior force of the enemy and held his position against their repeated efforts to recapture it, and subsequently pursued them a great distance.
1314	Smith, David L., sergeant, Battery E, First New York Light Artillery.	Aug. 6, 1902	Warwick Court House, Va.	This soldier, when a shell struck an ammunition chest, exploding a number of cartridges and setting fire to the packing tow, procured water and extinguished the fire, thus preventing the explosion of the remaining ammunition.
2164	Smith, Francis M., first lieutenant and adjutant, First Maryland Infantry.	Aug. 13, 1865	Dabneys Mill, Va.	Voluntarily rejoined with the body of his regimental commander under a heavy fire after the brigade had retired, and brought the body off the field.
928	Smith, Frank T., first sergeant, Company C, Tenth V. R. C.	May 20, 1865	.....	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
720	Smith, George L., first sergeant, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	See note at end of table.
1004	Smith, George W., private, Company M, Sixth U. S. Cavalry.	Nov. 4, 1874	Washita River, Tex.	Gallantry in action.
2167	Smith, Henry I., first lieutenant, Company B, Seventh Iowa Infantry.	Sept. 7, 1864	Black River, N. C.	Voluntarily, and under fire, rescued a comrade from death by drowning.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
947	Smith, James, private, Company I, Second Ohio Infantry.	July 6, 1864	Georgia	April, 1862	One of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell), penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta. See note at end of table.
721	Smith, James B., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
722	Smith, James H., private, Company A, Twenty-seventh Maine Infantry.	do.....			Do.
723	Smith, James M., private, Company H, Twenty-seventh Maine Infantry.	do.....			Do.
929	Smith, John P., first sergeant, Company I, Twenty-seventh Maine Infantry.	May 20, 1865		April, 1865	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
1777	Smith, Joseph S., lieutenant colonel and commissary subsistence, Second Army Corps.	May 25, 1862	Hatchers Run, Va.	Oct. 27, 1864	Led a part of a brigade, saved two pieces of artillery, captured a flag, and secured a number of prisoners. See note at end of table.
724	Smith, Libby H., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
725	Smith, Milbourn S., private, Company C, Twenty-seventh Maine Infantry.	do.....			Do.
1663	Smith, Otis W., private, Company G, Ninety-fifth Ohio Infantry.	Feb. 24, 1865	Nashville, Tenn.	Dec. 16, 1864	Capture of flag of Sixth Florida Infantry (C. S. A.).
2432	Smith, Otis, private, Company K, Eighth U. S. Cavalry.	Sept. 6, 1869	Arizona	1868 and 1869	Bravery in scouts and actions with Indians. See note at end of table.
726	Smith, Ransom E., sergeant, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
727	Smith, Rice, private, Company K, Twenty-seventh Maine Infantry.				
1815	Smith, Richard, private, Company B, Ninety-fifth New York Infantry.	Mar. 13, 1865	Weldon Railroad, Va.	Aug. 21, 1864	Captured 2 officers and 20 men of Hagood's brigade while they were endeavoring to make their way back through the woods.
2433	Smith, Robert, private, Company M, Third U. S. Infantry.	Oct. 16, 1877	Slim Buttes, Mont.	Sept. 9, 1876	Special bravery in endeavoring to dislodge Indians secured in a ravine. See note at end of table.
728	Smith, Samuel S., private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
2118	Smith, S. Rodmond, captain, Company C, Fourth Delaware Infantry.	Apr. 8, 1865	Rowanty Creek, Va.	Feb. 5, 1865	Swam the partly frozen creek under fire in the attempt to establish a crossing. See note at end of table.
729	Smith, Sullivan C., sergeant, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
1469	Smith, Theodore E., corporal, Company E, Sixth Pennsylvania Reserve.	May 5, 1900	Gettysburg, Pa.	July 2, 1863	Was one of six volunteers who charged upon a log house near the Devil's Den, where a squad of the enemy's sharpshooters were sheltered, and compelled their surrender.

2434	Smith, Theodore F., private, Company G, First U. S. Cavalry.	Feb. 14, 1870	Chiricahua Mountains, Ariz.	Oct. 20, 1869	Gallantry in action.
2435	Smith, Thomas, private, Company G, First U. S. Cavalry.	do.....	do.....	do.....	Do.
2436	Smith, Thomas J., private, Company G, First U. S. Cavalry.	do.....	do.....	do.....	Do.
2437	Smith, William, private, Company G, Eighth U. S. Cavalry.	do.....	do.....	do.....	Do.
730	Smith, William, private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2438	Smith, William H., private, Company G, First U. S. Cavalry.	Feb. 14, 1870	Chiricahua Mountains, Ariz.	Oct. 20, 1869	Gallantry in action.
731	Smith, William M., corporal, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1315	Smith, Wilson, corporal, Battery H, Third New York Light Artillery.	Apr. 24, 1866	Washington, N. C.	Sept. 6, 1862	Took command of a gun (the lieutenant in charge having disappeared) and fired the same so rapidly and effectively that the enemy were repulsed, although for a time a hand-to-hand conflict was had over the gun. See note at end of table.
732	Smith, Woodbury, private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	Left his place in the rear, took the rifle of a disabled soldier, and fought through the remainder of the action.
1898	Snedden, James, musician, Fifty-fourth Pennsylvania Infantry.	Sept. 11, 1867	Piedmont, Va.	June 5, 1864	Bravery in action; was wounded in both arms.
2439	Snow, Elmer A., trumpeter, Company M, Third U. S. Infantry.	Oct. 16, 1877	Rosebud Creek, Mont.	June 17, 1876	Capture of flag; and was the first man over the works in the charge.
2078	Southard, David, sergeant, Company C, First New Jersey Cavalry.	July 3, 1865	Sailors Creek, Va.	Apr. 6, 1865	Capture of flag.
2079	Sova, Joseph E., saddler, Company H, Eighth New York Cavalry.	May 3, 1865	Appomattox campaign, Va.	Mar. 29 to Apr. 9, 1865	His horse having been shot from under him, he voluntarily and on foot participated in the cavalry charge made upon one of the forts, although getting himself throughout with great personal bravery.
1799	Sowers, Michael, private, Company L, Fourth Pennsylvania Cavalry.	Feb. 16, 1867	Stony Creek Station, Va.	Dec. 1, 1864	Although twice wounded, and thereby crippled for life, he remained fighting in open ground to the close of the battle. See note at end of table.
1316	Spalding, Edward B., sergeant, Company E, Fifty-second Illinois Infantry.	Jan. 15, 1864	Pittsburg Landing, Tenn.	Apr. 6, 1862	Gallantry in action.
733	Spaulding, Wallis, private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
2440	Spence, Orzuel, private, Company G, Eighth U. S. Cavalry.	Feb. 14, 1870	Chiricahua Mountains, Ariz.	Oct. 20, 1869	Do.
734	Spencer, Joseph T., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	With the assistance of a few men captured 2 pieces of artillery and turned them upon the enemy.
735	Spencer, Joshua C., private, Company B, Twenty-seventh Maine Infantry.	do.....	.....	.....	Gallantry and good conduct in action; bravery in a charge and reluctance to leave the field after being twice wounded.
2149	Sperry, William J., major, Sixth Vermont Infantry.	Aug. 12, 1862	Petersburg, Va.	Apr. 2, 1865	See note at end of table.
2119	Spillane, Timothy, private, Company C, Sixteenth Pennsylvania Cavalry.	Sept. 16, 1860	Hatchers Run, Va.	Feb. 5-7, 1865	Do.
736	Spinney, James F., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	Do.
737	Spinney, Nicholas E., sergeant, Company G, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
738	Spinney, Stephen S., private, Company G, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1141	Sprague, Benona, corporal, Company F, One hundred and sixteenth Illinois Infantry.	July 10, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
1899	Sprague, John W., colonel, Sixty-third Ohio Infantry.	Jan. 18, 1864	Decatur, Ga.	July 22, 1864	With a small command defeated an overwhelming force of the enemy and saved the trains of the corps.
2441	Springer, George, private, Company G, First U. S. Cavalry.	Feb. 14, 1870	Chickasaw Mountains, Ariz.	Oct. 20, 1869	Gallantry in action.
2139	Spurling, Andrew B., lieutenant, Colonel, Second Maine Cavalry.	Sept. 10, 1867	Evergreen, Ala.	Mar. 23, 1865	Advanced alone in the darkness beyond the picket line, came upon 3 of the enemy, fired upon them (his fire being returned), wounded 2, and captured the whole party.
1498	Stacey, Charles, private, Company D, Fifty-fifth Ohio Infantry.	June 23, 1866	Gettysburg, Pa.	July 2, 1863	Voluntarily took an advanced position on the skirmish line for the purpose of ascertaining the location of Confederate sharpshooters, and under heavy fire held the position thus taken until the company of which he was a member went back to the main line. See note at end of table.
739	Stacy, Uranus, private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Led his division into action until he was severely wounded.
1778	Stabel, Julius, major general, U. S. Volunteers.	Nov. 4, 1863	Piedmont, Va.	June 5, 1864	Gallantry on scout after Indians.
2442	Stance, Emanuel, sergeant, Company F, Ninth U. S. Cavalry.	June 28, 1870	Kickapoo Springs, Tex.	May 20, 1870	At a critical moment rode to the front of one of his brigades, reestablished its lines, and gallantly led it in a successful assault.
1779	Stanley, David S., major general, U. S. Volunteers.	Mar. 29, 1863	Franklin, Tenn.	Nov. 30, 1864	Gallantry in action.
1032	Stanley, Eben, private, Company A, Fifth U. S. Cavalry.	Apr. 12, 1875	Near Turret Mountain, Ariz.	Mar. 26 and 27, 1873	Do.
2443	Stanley, Edward, corporal, Company F, Eighth U. S. Cavalry.	Mar. 3, 1870	Seneca Mountain, Ariz.	Aug. 26, 1869	Do.
740	Stanley, John R., private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
741	Staples, Charles F., corporal, Company A, Twenty-seventh Maine Infantry.	do			Do.
742	Staples, William H., private, Company G, Twenty-seventh Maine Infantry.	do			Do.
743	Staples, William M., sergeant, Company I, Twenty-seventh Maine Infantry.	do			Do.
1205	Starling, John H., sergeant, Thirty-fourth New York Battery.	July 30, 1865	Campbell Station, Tenn.	Nov. 16, 1863	Brought off his piece without losing a man.
2444	Stauder, Rudolph, first sergeant, Company K, Fifth U. S. Cavalry.	July 30, 1872	Near Camp Huapal, Ariz.	1872	Gallantry on scouts after Indians.
744	Steedhat, Thomas S., private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.

1900	Steele, John W. major and aid-de-camp, U. S. Volunteers.	Sept. 28, 1897	Spring Hill, Tenn.	Nov. 29, 1864	During a night attack of the enemy upon the wagon and ammunition train of this officer's corps he gathered up a force of stragglers and others, assumed command of it, though himself a staff officer, and attacked and dispersed the enemy's forces, thus saving the train. Gallantry in action.
2445	Steiner, Christian, saddler, Company G, Eighth U. S. Cavalry.	Feb. 14, 1870	Chickasaw Mountains, Ark.	Oct. 20, 1869	Gallantry in the charge of the "volunteer storming party."
1142	Stenmetz, William, private, Company G, Eighth Indiana Infantry.	July 12, 1894	Vicksburg, Miss.	May 22, 1863	Carried, with others, by hand, a cannon up to and fired it through an embrasure of the enemy's works.
1072	Stephens, William G., private, Chicago Mercantile Battery, Illinois Light Artillery.	Dec. 21, 1894	do.	do.	With 1 companion captured 14 of the enemy in the severest part of the battle. See note at end of table.
1816	Sterling, John W., private, Company D, Eleventh Indiana Infantry.	Apr. 4, 1865	Winchester, Va.	Sept. 19, 1864	Gallantly led a party that assaulted and captured the fort. See note at end of table.
745	Stevens, Charles E., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Fort Huger, Va.	Apr. 19, 1863	Do.
1451	Stevens, Hazard, captain and acting adjutant general, U. S. Volunteers.	June 13, 1894	do.	do.	Voluntarily brought water to the wounded under fire. See note at end of table.
746	Stevens, Herriman, private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.	do.	Carried dispatches to Gen. Crook at imminent risk of his life.
747	Stevens, Osgood W., private, Company F, Twenty-seventh Maine Infantry.	do.	do.	do.	While crossing a river in the face of the enemy, this officer plunged in and at the imminent risk of his own life saved from drowning an enlisted man of his regiment. Capture of flag.
2446	Stevens, Thomas W., private, Company D, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn, Mont.	June 25-26, 1876	Do.
748	Stevenson, William, private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.	do.	See note at end of table.
973	Stewart, Benjamin F., private, Company B, Seventh U. S. Infantry.	Dec. 2, 1876	Big Horn River, Mont.	July 9, 1876	Carried dispatches to Gen. Crook at imminent risk of his life.
2579	Stewart, George E., second lieutenant, Nineteenth U. S. Infantry.	June 26, 1900	Pasai Island of Panay, P. I.	Nov. 26, 1899	While crossing a river in the face of the enemy, this officer plunged in and at the imminent risk of his own life saved from drowning an enlisted man of his regiment. Capture of flag.
2080	Stewart, George W., first sergeant, Company E, First New Jersey Cavalry.	May 3, 1865	Paines Cross Roads, Va.	Apr. 5, 1865	Do.
2081	Stewart, Joseph, private, Company G, First Maryland Infantry.	Apr. 27, 1865	Fire Forks, Va.	Apr. 1, 1865	Do.
2082	Sticks, Joseph, private, Company A, Eighth Ohio Infantry.	June 8, 1865	Fort Blakely, Ala.	Apr. 9, 1865	Do.
2447	Stickler, Julius H., saddler, Company B, Eighth U. S. Cavalry.	Mar. 3, 1870	Cienega Springs, Utah.	Nov. 11, 1868	Gallantry in action.
749	Stillings, Calvin, private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.	do.	See note at end of table.
750	Stimpson, Thomas J., private, Company A, Twenty-seventh Maine Infantry.	do.	do.	do.	Do.
1143	Stockman, George H., first lieutenant, Company C, Sixth Missouri Infantry.	July 9, 1894	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
2448	Stokes, Alvarado, first sergeant, Company H, Sixth U. S. Cavalry.	Aug. 25, 1870	Wichita River, Tex.	July 12, 1870	Gallantry in action.
1694	Stokes, George, private, Company C, One hundred and twenty-second Illinois Infantry.	Feb. 24, 1865	Nashville, Tenn.	Dec. 16, 1864	Capture of flag.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1144	Stoltz, Frank, private, Company G, Eighty-third Indiana Infantry.	July 9, 1894	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
751	Stone, James M., lieutenant colonel, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
752	Stone, Lewis G., private, Company H, Twenty-seventh Maine Infantry.	do.			Do.
753	Stone, Simon, Jr., private, Company H, Twenty-seventh Maine Infantry.	do.			Do.
1741	Storey, John H. R., sergeant, Company F, One hundred and ninth Pennsylvania Infantry.	Aug. 29, 1866	Dallas, Ga.	May 28, 1864	While bringing in a wounded comrade, under a destructive fire, he was himself wounded in the right leg, which was amputated on the same day.
1006	Storr, Robert, private, Company A, Fifteenth New York Engineers.	Sept. 30, 1871		1861 and 1862	Services during the rebellion.
754	Stover, Eben, private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2580	Straub, Paul F. (See Addenda.)				
1357	Strausbaugh, Bernard A., first sergeant, Company A, Third Maryland Infantry.	Dec. 1, 1864	Petersburg, Va.	June 17, 1864	Recaptured the colors of Second Pennsylvania Provisional Artillery.
2449	Strayer, William H., private, Company B, Third U. S. Cavalry.	May 22, 1872	Loupe Fork, Platte River, Nebr.	Apr. 26, 1872	Gallantry in action.
2083	Strelle, Christian, private, Company I, First New Jersey Cavalry.	May 3, 1865	Palmer Cross Roads, Va.	Apr. 5, 1865	Capture of flag.
898	Strivson, Benoni, private, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona.	August to October, 1868	Bravery in scouts and actions with Indians.
1499	Stroug, James N., sergeant, Company C, Forty-ninth Massachusetts Militia.	Nov. 25, 1863	Port Hudson, La.	May 27, 1863	Volunteered, in response to a call, and took part in the movement that was made upon the enemy's works, under a heavy fire therefrom in advance of the general assault.
1817	Sturgeon, James K., private, Company H, Forty-sixth Ohio Infantry.	Jan. 2, 1865	Kennesaw Mountain, Ga.	June 15, 1864	Advanced beyond the lines, and in an encounter with 3 Confederates shot 2 and took the other prisoner.
2450	Sullivan, Thomas, private, Company G, First United States Cavalry.	Feb. 14, 1870	Chiricahua Mountains, Ariz.	Oct. 20, 1869	Gallantry in action against Indians concealed in a ravine.
2451	Sullivan, Thomas, private, Company H, Seventh United States Cavalry.	June 23, 1891	Wounded Knee Creek, S. Dak.	Dec. 29, 1890	Conspicuous bravery in action against Indians concealed in a ravine.
1145	Summers, James C., private, Company H, Fourth West Virginia Infantry.	Feb. 25, 1895	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
2452	Sumner, James, private, Company G, First United States Cavalry.	Feb. 14, 1870	Chiricahua Mountains, Ariz.	Oct. 20, 1869	Gallantry in action.
1317	Surges, William H., private, Company G, Second Ohio Infantry.	Aug. 19, 1891	Perryville, Ky.	Oct. 8, 1892	In the hottest part of the fight he stepped in front of his colonel to shield him from the enemy's fire.

899	Sutherland, John A., corporal, Company L, Eighth United States Cavalry.	July 24, 1899	Arizona.....	August to October, 1898	Bravery in scouts and actions with Indians.
2084	Swan, Charles A., private, Company K, Fourth Iowa Cavalry.	June 17, 1895	Selma, Ala.....	Apr. 2, 1895	Capture of flag (supposed to be Eleventh Mississippi) and bearer.
1900	Swap, Jacob E., private, Company H, Eighty-third Pennsylvania Infantry.	Nov. 19, 1897	The Wilderness, Va.....	May 5, 1894	Although assigned to other duty, he voluntarily joined his regiment in a charge and fought with it until severely wounded.
1318	Swayne, Wager, lieutenant colonel, Forty-third Ohio Infantry.	Aug. 19, 1893	Corinth, Miss.....	Oct. 4, 1892	Conspicuous gallantry in restoring order at a critical moment and leading his regiment in a charge.
1564	Sweatt, Joseph S. G., private, Company C, Sixth Massachusetts Infantry.	Mar. 22, 1892	Careville, Va.....	May 15, 1893	When ordered to retreat this soldier turned and rushed back to the front, in the face of the heavy fire of the enemy, in an endeavor to rescue his wounded comrades, remaining by them until overpowered and taken prisoner.
1695	Sweeney, James, private, Company A, First Vermont Cavalry.	Oct. 26, 1894	Cedar Creek, Va.....	Oct. 19, 1894	With 1 companion captured the State flag of a North Carolina regiment, together with 3 officers and an ambulance with its mules and driver.
755	Sweetsir, John W., corporal, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1895	.....	.....	See note at end of table.
756	Sweetsir, Stephen E., private, Company A, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1146	Swegheimer, Jacob, private, Company I, Fifty-fourth Ohio Infantry.	July 14, 1894	Vicksburg, Miss.....	May 22, 1893	Gallantry in the charge of the "volunteer storming party."
757	Swett, Augustus D., private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1895	.....	.....	See note at end of table.
1410	Swift, Frederick W., lieutenant colonel, Seventeenth Michigan Infantry.	Feb. 15, 1897	Lenoir Station, Tenn.....	Nov. 16, 1893	Gallantly seized the colors and rallied the regiment after 3 color-bearers had been shot, and the regiment, having become demoralized, was in imminent danger of capture.
1818	Swift, Harlan J., second lieutenant, Company H, Second New York Mounted Rifles.	July 20, 1897	Petersburg, Va.....	July 30, 1894	Having advanced with his regiment and captured the enemy's line, saw 4 of the enemy retreating toward their second line of works. He advanced upon them alone, compelled their surrender, and regained his regiment with the 4 prisoners.
930	Swinehart, Chester, first sergeant, Company D, Seventh V. R. C.	May 20, 1895	.....	April, 1895	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
999	Syde, Peter. (See addenda.)	.....	.....	.....	Voluntarily exposed himself to the enemy only a few feet away to render valuable services for the protection of his comrades.
1565	Tabor, William L. S., private, Company K, Fifteenth New Hampshire Infantry.	Mar. 10, 1896	Siege of Fort Hudson, La.....	July, 1893	Capture of flag.
2085	Taggart, Charles A., private, Company B, Thirty-seventh Massachusetts Infantry.	May 10, 1895	Sallors Creek, Va.....	Apr. 6, 1895	.....
1319	Tanner, Charles B., second lieutenant, Company H, First Delaware Infantry.	Dec. 13, 1899	Antietam, Md.....	Sept. 17, 1892	Carried off the regimental colors, which had fallen within 20 yards of the enemy's lines, the color guard of 9 men having all been killed or wounded: was himself 3 times wounded.
758	Tapley, David G., private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1895	.....	.....	See note at end of table.
759	Tapley, William H., private, Company A, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
760	Tarbox, Alphonso, private, Company F, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
761	Tarbox, George, private, Company C, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
762	Tarbox, Thomas B., private, Company F, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1539	Taylor, Anthony, first lieutenant Company A, Fifteenth Pennsylvania Cavalry.	Dec. 4, 1863	Chickamauga, Ga.	Sept. 20, 1863	Held out to the last with a small force against the advance of superior numbers of the enemy.
1039	Taylor, Bernard, sergeant, Company A, Fifth U. S. Cavalry.	Apr. 12, 1875	Near Sunset Pass, Ariz.	Nov. 1, 1874	Bravery in rescuing Lieut. King, Fifth United States Cavalry, from Indians.
763	Taylor, Calvin M., private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Big Dry Wash, Ariz.	July 17, 1882	See note at end of table.
2453	Taylor, Charles, first sergeant, Company D, Third U. S. Cavalry.	Dec. 16, 1882			Gallantry in action.
764	Taylor, Daniel D., corporal, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1566	Taylor, Forrest L., captain, Company H, Twenty-third New Jersey Infantry.	Nov. 2, 1896	Chancellorsville, Va.	May 3, 1863	At great risk, voluntarily saved the lives of, and brought from the battlefield, 2 wounded comrades.
765	Taylor, George A., private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
766	Taylor, George W., private, Company E, Twenty-seventh Maine Infantry.	do			Do.
1411	Taylor, Henry H., sergeant, Company C, Forty-fifth Illinois Infantry.	Sept. 1, 1863	Vicksburg, Miss.	June 25, 1863	Was the first to plant the Union colors upon the enemy's works.
767	Taylor, Horace, private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1206	Taylor, Joseph, private, Company E, Seventh Rhode Island Infantry.	July 20, 1897	Weldon Railroad, Va.	Aug. 18, 1864	While acting as an orderly to a general officer on the field and alone, encountered a picket of 3 of the enemy and compelled their surrender.
768	Taylor, Oliver G., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1696	Taylor, Richard, private, Company E, Eighth Indiana Infantry.	Nov. 21, 1864	Cedar Creek, Va.	Oct. 19, 1864	Capture of flag.
2454	Taylor, William, corporal, Company K, Eighth U. S. Cavalry.	Sept. 6, 1869	Arizona	1868 and 1869	Bravery in actions with Indians.
1320	Taylor, William, sergeant, Company H, and second lieutenant Company M, First Maryland Infantry.	Aug. 2, 1897	Front Royal, Va. Weldon Railroad, Va.	May 23, 1862 Aug. 19, 1864	Then a sergeant, he was painfully wounded while obeying an order to burn a bridge, but persevering in the attempt, he burned the bridge and part, he volunteered its use by the enemy. Then a lieutenant, he voluntarily took the place of a disabled officer and undertook a hazardous reconnaissance beyond the lines of the army; was taken prisoner in the attempt. Gallantry in action.
2205	Tee, Richard L., sergeant, Company H, Sixth U. S. Cavalry.	Nov. 16, 1876	Sappa Creek, Kans.	Apr. 23, 1875	In the thickest of the fight, where he lost his leg by a shot, still encouraged the men until carried off the field.
1321	Terry, John D., sergeant, Company F, Twenty-third Massachusetts Infantry.	Oct. 12, 1867	Newbern, N. C.	Mar. 14, 1862	

1819	Thackrah, Benjamin, private, Company H, One hundred and fifteenth New York Infantry.	May 2, 1860	Near Fort Gates, Fla.	Apr. 1, 1864	Was a volunteer in the surprise and capture of the enemy's picket.
1207	Thatcher, Charles M., private, Company B, First Michigan Sharpshooters.	July 31, 1866	Petersburg, Va.	July 30, 1864	Instead of retreating or surrendering when the works were captured, regardless of his personal safety, continued to return the enemy's fire until he was captured.
92	Thaxter, Sidney W., major, First Maine Cavalry.	Sept. 10, 1867	Hatchers Run, Va.	Oct. 27, 1864	Voluntarily remained and participated in the battle with conspicuous gallantry, although his term of service had expired and he had been ordered home to be mustered out.
1004	Thomas, Charles V., sergeant, Company E, Eleventh Ohio Cavalry.	Aug. 24, 1864	Powder River Expedition Dakota, Ter.	Sept. 12-17, 1865	Carried a message through a country infested with hostile Indians and saved the life of a comrade en route.
2140	Thomas, Hampton S., major, First Pennsylvania Veteran Cavalry.	Jan. 15, 1864	Amelia Springs, Va.	Apr. 5, 1865	Conspicuous gallantry in the capture of a field battery and a number of battle flags and in the destruction of the enemy's wagon train.
1801	Thomas, Stephen, colonel Eighth Vermont Infantry.	July 25, 1862	Cedar Creek, Va.	Oct. 19, 1864	Distinguished conduct in a desperate hand-to-hand encounter, in which the advance of the enemy was checked.
2086	Thompson, George W., corporal, Company F, One hundred and twenty-fourth New York Infantry.	Apr. 6, 1865	Petersburg, Va.	Mar. 25, 1865	Capture of flag of fifty-ninth Alabama Infantry (C. S. A.), from an officer who, with colors in hand, was rallying his men.
2620	Thompkins, William H., private, Troop G, Tenth U. S. Cavalry.	June 23, 1866	Tayabacoa, Cuba.	June 30, 1868	Voluntarily went ashore in the face of the enemy and aided in the rescue of his wounded comrades; this after several previous attempts at rescue had been frustrated.
769	Thompson, Adrial, Jr., private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2120	Thompson, Allen, private, Company I, Fourth New York Heavy Artillery.	Apr. 22, 1866	White Oak Road, Va.	Apr. 1, 1865	Made a hazardous reconnaissance through timber and slashings, preceding the Union line of battle, signaling the troops and leading them through the obstructions.
770	Thompson, Caleb, private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1268	Thompson, Charles A., sergeant, Company D, Seventeenth Michigan Infantry.	July 27, 1866	Spotsylvania, Va.	May 12, 1864	After the regiment was surrounded and all resistance seemed useless, fought single-handed for the colors, and refused to give them up until he had appealed to his superior officers.
2121	Thompson, Freeman C., corporal, Company F, One hundred and sixteenth Ohio Infantry.	May 12, 1865	Petersburg, Va.	Apr. 2, 1865	Was twice knocked from the parapet of Fort Gregg by blows from the enemy's muskets, but at the third attempt fought his way into the works.
771	Thompson, George F., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2455	Thompson, George W., private, Company C, Second U. S. Cavalry.	June 22, 1870	Little Blue, Nebr.	May 15, 1870	Gallantry in action.
772	Thompson, George W., sergeant, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
773	Thompson, Henry C., 1st sergeant, Company C, Twenty-seventh Maine Infantry.	do			Do.
2122	Thompson, James, private, Company K, Fourth New York Heavy Artillery.	Apr. 22, 1866	White Oak Road, Va.	Apr. 1, 1865	Made a hazardous reconnaissance through timber and slashings, preceding the Union line of battle, signaling the troops and leading them through the obstructions.
1388	Thompson, James B., sergeant, Company G, First Pennsylvania Rifles.	Dec. 1, 1864	Gettysburg, Pa.	July 3, 1863	Capture of flag of fifteenth Georgia Infantry (C. S. A.).

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1322	Thompson, J. Harry, surgeon, U. S. Volunteers.	Nov. 11, 1870	Newbern, N. C.	Mar. 14, 1882	Voluntarily reconnoitered the enemy's position and carried orders under the hottest fire. Bravery in action with Indians. As color bearer, with most conspicuous gallantry preceded his regiment in the assault and planted his flag upon the enemy's works. After having voluntarily brought water to the wounded, in which effort he was shot through the head, he made two more successful trips for the same purpose, notwithstanding remonstrances of his sergeant. One of a party of 4 who voluntarily brought into the Union lines, under fire, a wounded Confederate officer from whom was obtained valuable information concerning the enemy. Capture of flag of fifty-fifth Virginia Infantry (C. S. A.). See note at end of table.
2456	Thompson, John, sergeant, Company G, First U. S. Cavalry.	Feb. 14, 1870	Chiricahua Mountains, Ariz.	Oct. 20, 1880	
1939	Thompson, John, corporal, Company C, First Maryland Infantry.	Sept. 10, 1867	Hatchers Run, Va.	Feb. 6, 1865	
2457	Thompson, Peter, private, Company C, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn, Mont.	June 25, 1876	
1540	Thompson, Thomas, sergeant, Company A, Sixty-sixth Ohio Infantry.	July 16, 1862	Chancellorsville, Va.	May 2, 1863	
1399	Thompson, William F., sergeant, Company G, Twentieth Indiana Infantry.	Dec. 1, 1864	Wilderness, Va.	May 6, 1864	See note at end of table.
774	Thompson, William S., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
1501	Thomson, Clifford, first lieutenant, Company A, First New York Cavalry.	Nov. 27, 1866	Chancellorsville, Va.	May 2, 1863	
775	Thorn, David, private, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Volunteered to ascertain the character of approaching troops, rode up so closely as to distinguish the features of the enemy, and as he wheeled to return they opened fire with musketry, the Union troops returning same. Under a terrific fire from both sides Lieut. Thomson rode back unhurt to the Federal lines, averting a disaster to the Army by his heroic act. See note at end of table.
1015	Thorn, Walter, second lieutenant, Company G, One hundred and sixteenth U. S. C. T.	Dec. 8, 1866	Dutch Gap Canal, Va.	Jan. 1, 1865	
776	Thurston, Milton, private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865			After the fuse to the mined bulthead had been lit this officer, learning that the picket guard had not been withdrawn, mounted the bulthead and at great personal peril warned the guard of its danger. See note at end of table.
2087	Tibbets, Andrew W., private, Company I, Third Iowa Cavalry.	June 17, 1865	Columbus, Ga.	Apr. 16, 1865	
777	Tibbatts, Charles H., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Capture of flag and bearer, Austin's Battery (C. S. A.). See note at end of table.
2458	Tilton, Henry R., major and surgeon, U. S. Army.	Mar. 22, 1866	Bear Paw Mountain, Mont.	Sept. 30, 1877	
1902	Tilton, William, sergeant, Company C, Seventh New Hampshire Infantry.	Feb. 20, 1864	Richmond campaign, Virginia.	1864	Fearlessly risked his life and displayed great gallantry in rescuing and protecting the wounded men. Gallant conduct in the field.

1742	Tinkham, Eugene M., corporal, Company H, One-hundred and forty-eighth New York Infantry.	Apr. 5, 1898	Cold Harbor, Va.....	June 3, 1864.....	Though himself wounded, voluntarily left the rifle pits, crept out between the lines and, exposed to the severe fire of the enemy's guns at close range, brought within the lines 2 wounded and helped comrades.
2592	Titus, Calvin Pearl, musician, Company E, Fourteenth U. S. Infantry.	Mar. 11, 1902	Peking, China.....	Apr. 14, 1900.....	Gallant and daring conduct in the presence of his colonel and other officers and enlisted men of his regiment; was first to scale the wall of the city.
2123	Titus, Charles, sergeant, Company H, First New Jersey Cavalry.	July 3, 1865	Sailors Creek, Va.....	Apr. 6, 1865.....	Was among the first to check the enemy's countercharge.
2168	Tobin, James W., sergeant, Company C, Ninth Michigan Cavalry.	July 9, 1893	Alken, S. C.....	Feb. 11, 1865.....	Voluntarily and at great personal risk returned, in the face of the capture Maj. William C. Stevens, Ninth Michigan Cavalry, who had been thrown from his horse.
778	Tobey, Samuel A., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
719	Tobey, William W., sergeant, Company G, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
2124	Tobie, Edward P., sergeant major, First Maine Cavalry.	Apr. 1, 1898	Appomattox campaign, Virginia.	Mar. 29 to Apr. 9, 1865.	Though severely wounded at Sailors Creek, Apr. 6, and at Farmville, Apr. 7, refused to go to the hospital, but remained with his regiment, performed the full duties of adjutant upon the wounding of that officer, and was present for duty at Appomattox.
1323	Tobin, John M., first lieutenant and adjutant, Ninth Massachusetts Infantry.	Mar. 11, 1896	Malvern Hill, Va.....	July 1, 1862.....	Voluntarily took command of the Ninth Massachusetts while adjutant, bravely fighting from 3 p. m. until dusk, rallying and re-forming the regiment under fire; twice picked up the regimental flag, the color bearer having been shot down, and placed it in worthy hands.
1541	Tofey, John J., first lieutenant, Company G, Thirty-third New Jersey Infantry.	Sept. 10, 1897	Chattanooga, Tenn.....	Nov. 23, 1863.....	Although excused from duty on account of sickness, went to the front in command of a storming party, and with conspicuous gallantry participated in the assault of Missionary Ridge; was here wounded and permanently disabled.
2459	Tolan, Frank, private, Company D, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn, Mont.	June 25, 1876.....	Voluntarily brought water to the wounded under fire.
2088	Tompkins, Aaron B., sergeant, Company G, First New Jersey Cavalry.	July 3, 1895	Sailors Creek, Va.....	Apr. 5, 1865.....	Charged into the enemy's ranks and captured a battle flag, having a horse shot under him and his cheeks and shoulders cut with a saber.
1054	Tompkins, Charles H., first lieutenant, Second U. S. Cavalry.	Nov. 13, 1893	Fairfax, Va.....	June 1, 1861.....	Twice charged through the enemy's lines, and, taking a carbine from an enlisted man, shot the enemy's captain.
780	Tompson, William, private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1895	.....	.....	See note at end of table.
1147	Toomer, William, sergeant, Company G, One hundred and twenty-seventh Illinois Infantry.	July 9, 1894	Vicksburg, Miss.....	May 22, 1863.....	Gallantry in the charge of the "volunteer storming party."
1743	Torler, Ernest, sergeant, Company G, Thirty-seventh Ohio Infantry.	May 10, 1894	Erta Chapel, Ga.....	July 28, 1864.....	At great hazard of his life he saved his commanding officer, then badly wounded, from capture.
2460	Toy, Frederick E., first sergeant, Company G, Seventh U. S. Cavalry.	May 26, 1891	Wounded Knee Creek, S. Dak.	Dec. 29, 1890.....	Bravery.
1412	Tozier, Andrew J., sergeant, Company I, Twentieth Maine Infantry.	Aug. 13, 1898	Gettysburg, Pa.....	July 2, 1863.....	At the crisis of the engagement, this soldier, a color bearer, stood alone in an advanced position, the regiment having been borne back, and defended his colors with musket and ammunition picked up at his feet.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1780	Tracy, Amasa S., lieutenant colonel, Second Vermont Infantry.	June 24, 1892	Cedar Creek, Va.....	Oct. 19, 1894.....	Took command of and led the brigade in the assault on the enemy's works.
1809	Tracy, Benjamin F., colonel, One hundred and ninth New York Infantry.	June 21, 1895	Wilderness, Va.....	May 6, 1894.....	Seized the colors and led the regiment when other regiments had retired, and then re-formed his line and held it.
1744	Tracy, Charles H., sergeant, Company A, Thirty-seventh Massachusetts Infantry.	Nov. 19, 1897	Spottsylvania, Va..... Petersburg, Va.....	May 12, 1894..... Apr. 2, 1895.....	At the risk of his own life, assisted in carrying to a place of safety a wounded and helpless officer. Advanced with the pioneers, and, under heavy fire, assisted in removing 2 lines of chevaux-de-frise; was twice wounded, but advanced to the third line, where he was again severely wounded, losing a leg.
2461	Tracy, John, private, Company G, Eighth U. S. Cavalry.	Feb. 14, 1870	Chiricahua Mountains, Ariz.	Oct. 20, 1899.....	Bravery in action with Indians.
1542	Tracy, William G., second lieutenant, Company I, One hundred and twenty-second New York Infantry.	May 2, 1895	Chancellorsville, Va...	May 2, 1893.....	Having been sent outside the lines to obtain certain information of great importance, and having succeeded in his mission, was surprised upon his return by a large force of the enemy, regaining the Union lines only after greatly imperiling his life. See note at end of table.
781	Trafton, Ham. N., private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1895	.....	.....	Do.
782	Trafton, Osborn, private, Company I, Twenty-seventh Maine Infantry.	do.....	.....	.....	.....
993	Trautman, Jacob, first sergeant, Company I, Seventh U. S. Cavalry.	Mar. 27, 1891	Wounded Knee Creek, S. Dak.	Dec. 29, 1890.....	Killed a hostile Indian at close quarters, and, although entitled to retirement from service, remained to the close of this campaign.
1903	Traynor, Andrew, corporal, Company D, First Michigan Cavalry.	Sept. 28, 1897	Mason's Hill, Va.....	Mar. 16, 1894.....	Having been surprised and captured by a detachment of guerrillas, this soldier, with other prisoners, seized the arms of the guard over them, killed 2 of the guerrillas and enabled all the prisoners to escape.
1745	Treat, Howell B., sergeant, Company I, Fifty-second Ohio Infantry.	Aug. 14, 1894	Buzzards Roost, Ga...	May 11, 1894.....	Risked his life in saving a wounded comrade. See note at end of table.
783	Trefethern, Horatio W., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1895	.....	.....	.....
1801	Tremain, Henry E., major and aid-de-camp, U. S. Volunteers.	June 30, 1892	Resaca, Ga.....	May 16, 1894.....	Voluntarily rode between the lines while 2 brigades of Union troops were firing into each other, and stopped the firing.
2581	Trembley, William B., private, Company B, Twentieth Kansas Infantry.	Mar. 11, 1902	Campit, Luzon, P. I.	Apr. 27, 1899.....	Swam the Rio Grande de Pampanga in face of the enemy's fire and fastened a rope to the occupied trenches, thereby enabling the crossing of the river and the driving of the enemy from his fortified position.
1324	Tribe, John, private, Company G, Fifth New York Cavalry.	June 11, 1895	Waterloo Bridge, Va...	Aug. 26, 1892.....	Voluntarily assisted in the burning and destruction of the bridge under heavy fire of the enemy.

784	Tripp, Charles D., corporal, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
785	Tripp, Pelatiah R., private, Company I, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1148	Troglén, Howell G., private, Company B, Eighth Missouri Infantry.	Aug. 3, 1864	Vicksburg, Miss.....	May 22, 1863.....	Gallantry in the charge of the "volunteer storming party."
1804	Truell, Edwin M., private, Company E, Twelfth Wisconsin Infantry.	Mar. 11, 1870	Near Atlanta, Ga.	July 21, 1864.....	Although severely wounded in a charge, he remained with the regiment until again severely wounded, losing his leg.
1940	Tucker, Allen, sergeant, Company F, Tenth Connecticut Infantry.	May 12, 1865	Petersburg, Va.....	Apr. 2, 1865.....	Gallantry as color bearer in the assault on Fort Gregg.
1786	Tucker, Charles H., corporal, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1787	Tucker, Daniel H., private, Company B, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
2126	Tucker, Jacob R., corporal, Company G, Fourth Maryland Infantry.	Apr. 22, 1871	Petersburg, Va.....	Apr. 1, 1865.....	Was one of the three soldiers most conspicuous in the final assault.
788	Tucker, William H., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
789	Tufts, John W., private, Company B, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
790	Tufts, Wilson C., private, Company B, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1019	Turpin, James H., first sergeant, Company L, Fifth U. S. Cavalry.	Apr. 12, 1876	Arizona.....	1872-1874.....	Gallantry in actions with Apaches.
1173	Tweedale, John, private, Company B, Fifteenth Pennsylvania Cavalry.	Nov. 18, 1867	Stone River, Tenn....	Dec. 31, 1862, and Jan. 1, 1863.....	Gallantry in action.
791	Twombly, Henry W., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1326	Twombly, Voltaire P., corporal, Company F, Second Iowa Infantry.	Mar. 12, 1867	Fort Donelson, Tenn..	Feb. 15, 1862.....	Took the colors after 3 of the color guard had fallen, and although almost instantly knocked down by a spent ball, immediately arose and bore the colors to the end of the engagement.
1697	Tyrell, George William, corporal, Company H, Fifth Ohio Infantry.	Apr. 7, 1865	Reesee, Ga.....	May 14, 1864.....	Capture of flag.
1326	Uri, George, sergeant, Light Battery F, Fifth U. S. Artillery.	Apr. 4, 1868	White Oak Swamp Bridge, Va.....	June 30, 1862.....	Was one of a party of 3 who, under heavy fire of the advancing enemy, voluntarily secured and saved from capture a field gun belonging to another battery, and which had been deserted by its officers and men.
1413	Urell, M. Emmet, private, Company E, Eighty-second New York Infantry.	June 6, 1870	Bristoe Station, Va....	Oct. 14, 1863.....	Gallantry in action while detailed as color bearer; was severely wounded.
1463	Vale, John, private, Company H, Second Minnesota Infantry.	Sept. 11, 1867	Nolansville, Tenn....	Feb. 15, 1863.....	Was one of a detachment of 16 men who heroically defended a wagon train against the attack of 125 cavalry, repulsed the attack, and saved the train.
1327	Vance, Wilson, private, Company B, Twenty-first Ohio Infantry.	Sept. 17, 1867	Stone River, Tenn....	Dec. 31, 1862.....	Voluntarily and under a heavy fire, while his command was falling back, rescued a wounded and helpless comrade from death or capture.
2126	Vanderslice, John M., private, Company D, Eighth Pennsylvania Cavalry.	Sept. 1, 1863	Hatchers Run, Va....	Feb. 6, 1865.....	Was the first man to reach the enemy's rifle pits, which were taken in the charge.
2127	Van Matre, Joseph, private, Company G, One hundred and sixteenth Ohio Infantry.	May 12, 1865	Petersburg, Va.....	Apr. 2, 1865.....	In the assault on Fort Gregg, this soldier climbed upon the parapet and fired down into the fort as fast as the loaded guns could be passed up to him by comrades.
2582	Van Schaek, Louis J. (See addenda.)				

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1906	Vanwinkle, Edward, corporal, Company C, One hundred and forty-eighth New York Infantry.	Apr. 6, 1865	Chapin's farm, Va.....	Sept. 20, 1864.....	Took position in advance of the skirmish line and drove the enemy's cannoners from their guns.
792	Vancey, Aaron, private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
793	Vancey, Elijah, private, Company G, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
2462	Varnum, Charles A., captain, Company B, Seventh U. S. Cavalry.	Sept. 22, 1867	White Clay Creek, S. Dak.	Dec. 30, 1860.....	While executing an order to withdraw, seeing that a continuance of the movement would expose another troop of his regiment to being cut off and surrounded, he disregarded orders to retire, placed himself in front of his men, led a charge upon the advancing Indians, regained a commanding position that had just been vacated, and thus insured a safe withdrawal of both detachments without further loss.
1610	Veal, Charles, private, Company D, Fourth U. S. C. T.	Apr. 6, 1865	Chapin's farm, Virginia.	Sept. 20, 1864.....	While executing an order to withdraw, seeing that a continuance of the movement would expose another troop of his regiment to being cut off and surrounded, he disregarded orders to retire, placed himself in front of his men, led a charge upon the advancing Indians, regained a commanding position that had just been vacated, and thus insured a safe withdrawal of both detachments without further loss.
1543	Veale, Moses, captain, Company F, One hundred and ninth Pennsylvania Infantry.	Jan. 17, 1864	Waubasatchie, Tenn.....	Oct. 26, 1863.....	Seized the national colors, after 2 color bearers had been shot down, close to the enemy's works, and bore them through the remainder of the battle.
1452	Veazey, Wheelock G., colonel, Sixteenth Vermont Infantry.	Sept. 8, 1861	Gettysburg, Pa.....	July 3, 1863.....	Gallantry in action; manifesting throughout the engagement coolness, zeal, judgment, and courage.
1502	Vernay, James D., second lieutenant, Company B, Eleventh Illinois Infantry.	Apr. 1, 1868	Violsburg, Miss.....	Apr. 22, 1863.....	Rapidly assembled his regiment and charged the enemy's flank; changed front under heavy fire, and charged and destroyed a Confederate brigade; all this with new troops in their first battle.
1063	Veuve, Ernest, farrier, Company A, Fourth U. S. Cavalry.	Oct. 12, 1875	Staked Plains, Tex.....	Nov. 3, 1874.....	Served gallantly as a volunteer with the crew of the steamer Horizon, that, under heavy fire, passed the Confederate batteries.
2090	Vilquain, Victor, lieutenant, colonel, Ninety-seventh Illinois Infantry.	June 8, 1865	Fort Blakely, Ala.....	Apr. 9, 1865.....	Gallant manner in which he faced a desperate Indian.
2463	Volt, Otto, saddler, Company H, Seventeenth U. S. Cavalry.	Oct. 5, 1878	Little Big Horn, Mont.	June 25, 1876.....	Capture of flag.
2464	Vokes, Leroy H., first sergeant, Company B, Third U. S. Cavalry.	May 22, 1872	Loup Fork, Platte River, Nebr.	Apr. 26, 1872.....	Bravery in action.
1024	Von Mecklen, Rudolph, sergeant, Company A, Fifth U. S. Cavalry.	Apr. 12, 1875	.....	1875 and 1873.....	Gallantry in action.
1366	Von Vagesack, Ernest, major and aide-de-camp, U. S. Volunteers.	Aug. 29, 1863	Galbes Mills, Va.....	June 27, 1862.....	Gallantry in actions and campaigns.
794	Wadleigh, Charles H., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	While voluntarily serving as aid-de-camp, successfully and advantageously changed the position of troops, under fire.

795	Wadleigh, Elisha, private, Company A, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
796	Wadsworth, Alexander, private, Company H, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
797	Wadsworth, Marshall L., corporal, Company H, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1209	Wageman, John H., private, Company I, Sixtieth Ohio Infantry.	July 27, 1896	Petersburg, Va.....	June 17, 1894	Remained with the command, after being severely wounded, until he had fired all the cartridges in his possession, when he had to be carried from the field. Gallantry in the charge of the "volunteer storming party."
1149	Wagner, John W., corporal, Company F, Eighth Missouri Infantry.	Dec. 14, 1894	Vicksburg, Miss.....	May 22, 1863	Gallant and meritorious conduct, where, as first lieutenant, he commanded the regiment.
2128	Wainwright, John, first lieutenant, Company F, Ninety-seventh Pennsylvania Infantry.	June 24, 1890	Fort Fisher, N. C.....	Jan. 15, 1865	See note at end of table.
798	Waitt, John H., private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1895	.....	.....	Do.
799	Wakefield, George W., private, Company I, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
800	Wakefield, George W., private, Company D, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
2510	Walker, Allen, private, Company C, Third U. S. Cavalry.	Apr. 25, 1892	Texas.....	Dec. 30, 1891	While carrying dispatches, he attacked a party of 3 armed men and secured papers valuable to the United States.
2583	Walker, Frank O., private, Company F, Forty-sixth U. S. Volunteer Infantry.	Mar. 11, 1902	Near Taal, Luzon, P. I.	Jan. 18, 1900	Under heavy fire of the enemy, rescued a dying comrade who was sinking beneath the water.
801	Walker, George M., sergeant, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1895	.....	.....	See note at end of table.
1414	Walker, James C., private, Company K, Thirty-first Ohio Veteran Infantry.	Nov. 25, 1896	Missionary Ridge, Tenn.	Nov. 25, 1893	After 2 color bearers had fallen, seized the flag and carried it forward, assisting in the capture of a battery. Shortly thereafter he captured the flag of the Forty-first Alabama and the color bearer.
2465	Walker, John, private, Company D, Eighth U. S. Cavalry.	Nov. 23, 1899	Red Creek, Ariz.....	Sept. 23, 1899	Gallantry in action with Indians.
996	Walker, Dr. Mary E.....	Jan. 24, 1896	.....	1861 to 1865	Services rendered during the war.
1390	Wall, Jerry, private, Company B, One hundred and twenty-sixth New York Infantry.	Dec. 1, 1864	Gettysburg, Pa.....	July 3, 1863	Capture of flag.
2594	Wallace, George W., second lieutenant, Ninth U. S. Infantry.	June 25, 1900	Tinuba, Luzon, P. I.....	Mar. 4, 1900	With another officer and a native Filipino, was shot at from ambush, the other officer falling severely wounded. Lieut. Wallace fired in the direction of the enemy, put them to rout, removed the wounded officer from the path, returned to the town, a mile distant, and summoned assistance from his command. Gallantry in action.
2466	Wallace, William, sergeant, Company C, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876, to Jan. 8, 1877	Capture of flag of Second Mississippi Infantry (C. S. A.).
1391	Waller, Francis A., corporal, Company I, Sixth Wisconsin Infantry.	Dec. 1, 1894	Gettysburg, Pa.....	July 1, 1863	Bravery in action with hostile Apaches.
2467	Walley, Augustus, private, Company I, Ninth U. S. Cavalry.	Oct. 1, 1890	Cuchillo Negro Mountains, N. Mex.	Aug. 16, 1881	

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1698	Walling, William H., captain Company C, One hundred and forty-second New York Infantry.	Mar. 28, 1862	Fort Fisher, N. C.	Dec. 25, 1864	During the bombardment of the fort by the fleet, captured and brought off the flag of the fort, the flagstaff having been shot down. See note at end of table.
802	Wallingford, Daniel, private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	do.....	Do.
803	Walls, Thomas, private, Company C, Twenty-seventh Maine Infantry.	do.....	do.....	do.....	Do.
1611	Walsh, John, corporal, Company D, Fifth New York Cavalry.	Oct. 26, 1864	Cedar Creek, Va.	Oct. 19, 1864	Recaptured the flag of the Fifteenth New Jersey Infantry.
1746	Walton, George W., private, Company C, Ninety-seventh Pennsylvania Infantry.	Aug. 6, 1902	Fort Hell, Petersburg, Va.	Aug. 29, 1864	Went outside the trenches under heavy fire at short range and rescued a comrade who had been wounded and thrown out of the trench by an exploding shell.
1580	Wambsean, Martin, private, Company D, Ninetieth New York Infantry.	Nov. 3, 1866	Cedar Creek, Va.	Oct. 19, 1864	While the enemy were in close proximity this soldier sprang forward and bore off in safety the regimental colors, the color bearer having fallen on the field of battle.
2621	Wanion, George H., private, Troop M, Tenth U. S. Cavalry.	June 23, 1869	Tayabasco, Cuba.	June 30, 1868	Voluntarily went ashore in the face of the enemy and aided in the rescue of his wounded comrades; this after several previous attempts at rescue had been frustrated.
2468	Ward, Charles H., private, Company G, First U. S. Cavalry.	Feb. 14, 1870	Chiricahua Mountains, Ariz.	Oct. 20, 1869	Gallantry in action with Indians.
804	Ward, George H., captain, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	do.....	See note at end of table.
2469	Ward, James, sergeant, Company B, Seventh U. S. Cavalry.	Apr. 16, 1891	Wounded Knee Creek, S. Dak.	Dec. 29, 1890	Continued to fight after being severely wounded.
960	Ward, John, sergeant, Indian Scouts.	May 28, 1875	Pecos River, Tex.	Apr. 25, 1875	Gallantry in action with Indians.
1747	Ward, Nelson W., private, Company M, Eleventh Pennsylvania Cavalry.	Sept. 10, 1867	Staunton River Bridge, Va.	June 25, 1864	Voluntarily took part in a charge; went alone in front of his regiment under a heavy fire to secure the body of his captain, who had been killed in the action.
1150	Ward, Thomas J., private, Company C, One hundred and sixteen Illinois Infantry.	July 27, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
1503	Ward, William H., captain, Company B, Forty-seventh Ohio Infantry.	Jan. 2, 1865	do.....	May 3, 1863	Voluntarily commanded the expedition which, under cover of darkness, attempted to run the enemy's batteries.
1151	Warden, John, corporal, Company E, Fifty-fifth Illinois Infantry.	Sept. 2, 1863	do.....	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
2090	Warfel, Henry C., private, Company A, First Pennsylvania Cavalry.	May 3, 1865	Palme's Cross Roads, Va.	Apr. 5, 1865	Capture of Virginia State colors.
805	Warren, Chaddbourne, private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865	do.....	do.....	See note at end of table.

1600	Warren, Francis E., corporal, Company C, Forty-ninth Massachusetts Infantry.	Sept. 30, 1863	Port Hudson, La.	May 27, 1863	Volunteered in response to a call, and took part in the movement that was made upon the enemy's works under a heavy fire therefrom, in advance of the general assault. See note at end of table.
806	Warren, Joseph F., captain, Company C, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
807	Warren, Nathaniel F., private, Company B, Twenty-seventh Maine Infantry.	do.			Do.
2470	Warrington, Lewis, first lieutenant, Fourth U. S. Cavalry.	Apr. 12, 1875	Muchague Valley, Tex.	Dec. 8, 1874	Gallantry in a combat with five Indians. See note at end of table.
808	Watson, Daniel, private, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
809	Watson, George W., sergeant, Company F, Twenty-seventh Maine Infantry.	do.			Do.
2471	Watson, James C., corporal, company L, Sixth U. S. Cavalry.	Aug. 26, 1870	Wichita River, Tex.	July 12, 1870	Gallantry in action.
2472	Watson, Joseph, private, Company F, Eighth U. S. Cavalry.	Mar. 3, 1870	Near Picoacho Mountain, Ariz.	June 4, 1869	Killed an Indian warrior and captured his arms. See note at end of table.
810	Watson, Seth, private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
900	Webber, Andrew J., private, Company B, Eighth U. S. Cavalry.	July 24, 1869	Arizona.	Aug. to Oct., 1868	Bravery in actions and scouts against Indians.
2385	Weaver, Amos, sergeant, Company F, Thirty-sixth U. S. Volunteer Infantry.	Mar. 15, 1902	Between Calabus and Magalong, P. I.	Nov. 5, 1899	Alone and unaided charged a body of 15 insurgents, dislodging them, killing 4 and wounding several.
1453	Webb, Alexander S., brigadier general, U. S. Volunteers.	Sept. 28, 1891	Gettysburg, Pa.	July 3, 1863	Distinguished personal gallantry in leading his men forward at a critical period in the contest. Under heavy fire, voluntarily carried information to a battery commander that enabled him to save his guns from capture. Was severely wounded, but refused to go to hospital, and participated in the remainder of the campaign.
2511	Webb, James, private, Company F, Fifth New York Infantry.	Sept. 17, 1897	Bull Run, Va.	Aug. 30, 1862	Voluntarily joined in a charge against the enemy, which was repulsed, and by his rapid firing in the face of the enemy, enabled many of the wounded to return to the Federal lines; with others, held the advance of the enemy while temporary works were being constructed. See note at end of table.
1802	Webber, Alanson P., musician, Eighty-sixth Illinois Infantry.	June 22, 1866	Kanesaw Mountain, Ga.	June 27, 1864	Do. Do.
811	Webber, Alfred C., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1865			Do.
812	Webber, Orin B., private, Company F, Twenty-seventh Maine Infantry.	do.			Do.
813	Webber, William C., musician, Company K, Twenty-seventh Maine Infantry.	do.			Do.
1392	Weeks, John H., private, Company H, One hundred and fifty-second New York Infantry.	Dec. 1, 1864	Spottsylvania, Va.	May 12, 1864	Capture of flag and color bearer.
814	Weeks, Noah, private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2473	Welnert, Paul H., corporal, Company E, First U. S. Artillery.	Mar. 24, 1891	Wounded Knee Creek, S. Dak.	Dec. 29, 1890	Taking the place of his commanding officer, who had fallen, severely wounded, he gallantly served his piece, after each fire advancing it to a better position.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1748	Weir, Henry C., captain and assistant adjutant general, U. S. Volunteers.	May 18, 1899	St. Mary's Church, Va.	June 24, 1864.....	
2474	Wells, Enoch R., private, Company G, First U. S. Cavalry.	Feb. 14, 1870	Chiricahua Moun- tains, Ariz.	Oct. 20, 1869.....	
2622	Welborn, Ira C., second lieutenant, Ninth U. S. Infantry.	June 21, 1899	Santiago, Cuba.....	July 2, 1898.....	The division being hard pressed and falling back, this officer dis- mounted, gave his horse to a wounded officer and thus enabled him to escape. Afterwards, on foot, Capt. Weir rallied and took command of some stragglers and helped to repel the enemy.
2475	Welch, Charles H., sergeant, Company D, Seventh U. S. Cavalry.	Oct. 5, 1878	Little Big Horn, Mont.	June 25-26, 1876.....	Gallantry in action with Indians.
815	Welch, Charles H., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865	Nashville, Tenn.....	Dec. 16, 1864.....	Voluntarily left shelter and went, under fire, to the aid of a private of his company who was wounded.
1699	Welch, George W., private, Company A, Eleventh Missouri Infantry.	Feb. 24, 1865	Wichita River, Tex.....	Oct. 5, 1870.....	Voluntarily brought water to the wounded, under fire.
2476	Welch, Michael, sergeant, Company M, Sixth U. S. Cavalry.	Nov. 19, 1876	Petersburg, Va.....	Apr. 2, 1865.....	See note at end of table.
2091	Welch, Richard, corporal, Company E, Thirty-seventh Massachusetts Infantry.	May 10, 1865	Dug Gap, Ga.....	May 8, 1864.....	Capture of flag.
1749	Welch, Stephen, sergeant, Company C, One hundred and fifty-fourth New York Infantry.	Apr. 13, 1894			Risked his life in rescuing a wounded comrade under fire of the enemy.
816	Welch, Wentworth, private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
2535	Weld, Seth. (See Addenda.)	do.....			Do.
817	Wells, Alexander B., corporal, Com- pany E, Twenty-seventh Maine In- fantry.	do.....			Do.
818	Wells, Hartley L., private, Company I, Twenty-seventh Maine Infantry.	do.....			Do.
1906	Wells, Henry S., private, Company C, One hundred and forty-eighth New York Infantry.	Apr. 6, 1865	Chapin's farm, Vir- ginia.	Sept. 29, 1864.....	With 2 comrades, took position in advance of the skirmish line, within short distance of the enemy's gunners, and drove them from their guns.
819	Wells, John, private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
820	Wells, Octavius E., private, Company I, Twenty-seventh Maine Infantry.	do.....			Do.
1700	Wells, Thomas M., chief bugler, Sixth New York Cavalry.	Oct. 26, 1864	Cedar Creek, Va.....	Oct. 19, 1864.....	Capture of colors of Forty-fourth Georgia Infantry (C. S. A.).
1464	Wells, William, major, First Vermont Cavalry.	Sept. 8, 1891	Gettysburg, Pa.....	July 3, 1863.....	Led the second battalion of his regiment in a daring charge.

1613	Walsh, James. (See Addenda.)	May 11, 1894	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
1152	Welsh, Edward, private, Company D, Fifty-fourth Ohio Infantry.	June 22, 1899	El Caney, Cuba.	July 1, 1898	Gallantly assisted in the rescue of the wounded from in front of the lines and under heavy fire from the enemy.
2623	Wende, Bruno, private, Company C, Seventeenth U. S. Infantry.	Jan. 24, 1865			See note at end of table.
821	Wentworth, Albert F., private, Company B, Twenty-seventh Maine Infantry.	do.			Do.
822	Wentworth, Bradford H., private, Company B, Twenty-seventh Maine Infantry.	do.			Do.
823	Wentworth, Enoch J., private, Company K, Twenty-seventh Maine Infantry.	do.			Do.
824	Wentworth, Henry, private, Company B, Twenty-seventh Maine Infantry.	do.			Do.
825	Wentworth, Lewis H., private, Company H, Twenty-seventh Maine Infantry.	do.			Do.
826	Wentworth, Mark F., colonel, Twenty-seventh Maine Infantry.	do.			Do.
827	Wentworth, Samuel T., private, Company B, Twenty-seventh Maine Infantry.	do.			Do.
828	Wentworth, William, private, Company H, Twenty-seventh Maine Infantry.	do.			Do.
2477	West, Frank, first lieutenant, Sixth U. S. Cavalry.	July 12, 1892	Big Dry Wash, Ariz.	July 17, 1882	Rallied his command and led it in the advance against the enemy's fortified position.
829	West, Sias, corporal, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1383	Westerhold, William, sergeant, Company G, Fifty-second New York Infantry.	Dec. 1, 1864	Spottsylvania, Va.	May 12, 1864	Capture of flag of Twenty-third Virginia Infantry (C. S. A.) and its bearer.
2129	Weston, John F., major, Fourth Kentucky Cavalry.	Apr. 9, 1868	Near Wetumpka, Ala.	Apr. 13, 1865	This officer, with a small detachment, while en route to destroy steamboats loaded with supplies for the enemy, was stopped by an unfordable river, but with 5 of his men swam the river, captured 2 leaky canoes, and ferried his men across. He then encountered and defeated the enemy, and on reaching Wetumpka found the steamers anchored in midstream. By a ruse obtained possession of a boat, with which he reached the steamers and demanded and received their surrender.
2587	Wetherby, John C., private, Company L, Fourth U. S. Infantry.	Apr. 25, 1902	Near Imus, Luzon, P. I.	Nov. 20, 1899	While carrying important orders on the battle field was desperately wounded, and, being unable to walk, crawled far enough to deliver his orders.
2176	Wheaton, Loyd, lieutenant colonel, Eighth Illinois Infantry.	Jan. 16, 1894	Fort Blakely, Ala.	Apr. 9, 1865	Led the right wing of his regiment, and, springing through an embrasure, was the first to enter the enemy's works, against a strong fire of artillery and infantry.
1544	Wheeler, Daniel D., first lieutenant, Company G, Fourth Vermont Infantry.	Mar. 28, 1892	Salem Heights, Va.	May 3, 1863	Distinguished bravery in action where he was wounded and had a horse shot under him.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
1055	Wheeler, Henry W., private, Company A, Second Maine Infantry.	Apr. 5, 1868	Bull Run, Va.	July 21, 1861	Voluntarily accompanied his commanding officer and assisted in removing the dead and wounded from the field under a heavy fire of artillery and musketry. See note at end of table.
830	Wheelwright, Moses F., private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
2512	Wherry, William M., first lieutenant, Company D, Third U. S. Reserve Corps, Missouri Volunteers.	Oct. 30, 1865	Wilsons Creek, Mo.	Aug. 10, 1861	Displayed conspicuous coolness and heroism in rallying troops that were recoiling under heavy fire.
1916	Whitaker, Edward W., captain, Company E, First Connecticut Cavalry.	Apr. 2, 1868	Reams Station, Va.	June 29, 1864	While acting as an aid voluntarily carried dispatches from the commanding general to Gen. Meade, forcing his way with a single troop of cavalry through an infantry division of the enemy in the most distinguished manner, though he lost half his escort. Capture of flag.
2092	White, Adam, corporal, Company G, Eleventh West Virginia Infantry.	June 13, 1865	Hatchers Run, Va.	Apr. 2, 1865	Swam the Rio Grande de Pampanga in face of the enemy's fire and fastened a rope to the occupied trenches, thereby enabling the crossing of the river and the driving of the enemy from his fortified position.
2588	White, Edward, private, Company B, Twentieth Kansas Infantry.	Mar. 11, 1902	Calumple, Luzon, P. I.	Apr. 27, 1899	At the imminent risk of his life, crawled to a near-by spring, within the enemy's range, and exposed to constant fire, filled a large number of canteens and returned in safety to the relief of his comrades who were suffering for want of water. See note at end of table.
1329	White, J. Henry, private, Company A, Ninetieth Pennsylvania Infantry.	May 5, 1900	Rappahannock Station, Va.	Aug. 23, 1862	Carried, with others, by hand, a cannon up to and fired it through an embrasure of the enemy's works. See note at end of table.
831	White, Joseph H., private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
1068	White, Patrick H., captain, Chicago Mercantile Battery, Illinois Light Artillery.	Jan. 15, 1865	Violsburg, Miss.	May 22, 1863	See note at end of table.
832	Whitehead, John, private, Company P, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
1330	Whitehead, John M., chaplain, Fifth Indiana Infantry.	Apr. 4, 1868	Stone River, Tenn.	Dec. 31, 1862	Went to the front during a desperate contest and, unaided, carried to the rear several wounded and helpless soldiers.
2478	Whitehead, Falcon G., private, Company C, Fifth U. S. Infantry.	Apr. 27, 1877	Cedar Creek, etc., Mont.	Oct. 21, 1876, to Jan. 8, 1877.	Gallantry in action. See note at end of table.
833	Whitehead, Harrison, private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			
834	Whitehouse, Joseph A., private, Company I, Twenty-seventh Maine Infantry.	do.			Do.

1210	Whitman, Frank M., private, Company G, Thirty-fifth Massachusetts Infantry.	Feb. 21, 1874	Antietam, Md.	Sept. 17, 1862	Was among the last to leave the field, and was instrumental in saving the lives of several of his comrades at the imminent risk of his own.
208	Whitmore, John, private, Company F, One hundred and nineteenth Illinois Infantry.	June 8, 1865	Spottsylvania, Va. Blakely, Ala.	May 18, 1864. Apr. 9, 1865.	Was foremost in line in the assault, where he lost a leg. Capture of flag.
1545	Whitney, William G., sergeant, Company H, Eleventh Michigan Infantry.	Oct. 21, 1865	Chickamauga, Ga.	Sept. 20, 1863	As the enemy were about to charge, this officer went outside the temporary Union works, among the dead and wounded enemy, and at great exposure to himself cut off and removed their cartridge boxes, bringing the same within the Union lines, the ammunition being used with good effect in again repulsing the attack.
835	Whitten, John G., corporal, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1856	Whittier, Edward N., first lieutenant, Fifth Battery, Maine Light Artillery.	Jan. 13, 1862	Fishers Hill, Va.	Sept. 22, 1864	While acting as assistant adjutant general, artillery brigade, Sixth Army Corps, went over the enemy's works, mounted, with the assaulting column, to gain quicker possession of the guns and to turn them upon the enemy.
1153	Widick, Andrew J., private, Company B, One hundred and sixteenth Illinois Infantry.	Aug. 11, 1864	Vicksburg, Miss.	May 22, 1863	Gallantry in the charge of the "volunteer storming party."
2479	Widmer, Jacob, first sergeant, Company D, Fifth U. S. Cavalry.	May 4, 1880	Milk Creek, Colo.	Sept. 28, 1876	Volunteered to accompany a small detachment on a very dangerous mission.
836	Wiggin, George A., private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
837	Wiggin, James E., corporal, Company B, Twenty-seventh Maine Infantry.	do			Do.
838	Wiggin, John H., corporal, Company B, Twenty-seventh Maine Infantry.	do			Do.
839	Wiggin, John W., private, Company C, Twenty-seventh Maine Infantry.	do			Do.
840	Wiggin, Mark N., private, Company H, Twenty-seventh Maine Infantry.	do			Do.
1211	Wilcox, William H., sergeant, Company G, Ninth New Hampshire Infantry.	July 28, 1896	Spottsylvania, Va.	May 12, 1864	Took command of his company, deployed as skirmishers, after the officers in command of the skirmish line had both been wounded conducting himself gallantly; afterwards, becoming separated from his command, he asked and obtained permission to fight in another company.
2480	Wilder, Wilber E., first lieutenant, Fourth U. S. Cavalry.	Aug. 17, 1896	Horseshoe Canyon, N. Mex.	Apr. 23, 1882	Assisted, under a heavy fire, to rescue a wounded comrade.
841	Wilds, Erastus, private, Company D, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1384	Wiley, James, sergeant, Company B, Fifty-ninth New York Infantry.	Dec. 1, 1864	Gettysburg, Pa.	July 3, 1863	Capture of flag of a Georgia regiment.
2513	Wilhelm, George, captain, Company F, Fifty-sixth Ohio Infantry.	Nov. 17, 1887	Champion Hill or Bakers Creek, Miss. (Little Muddy Creek, Mont. Canas Meadows, Idaho.)	May 16, 1863. May 7, 1877	Having been badly wounded in the breast and captured, he made a prisoner of his captor and brought him into camp. Bravery in actions with Indians.
2461	Wilkins, Henry, first sergeant, Company L, Second U. S. Cavalry.	Feb. 28, 1878		Aug. 20, 1877	Do.
1385	Wilkins, Leander A., sergeant, Company H, Ninth New Hampshire Infantry.	Dec. 1, 1864	Petersburg, Va.	July 30, 1864	Recaptured the colors of Twenty-first Massachusetts Infantry, in a hand-to-hand encounter.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
842	Wilkinson, Stephen, private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1056	Wilcox, Orlando B., colonel, First Michigan Infantry.	Mar. 2, 1865	Bull Run, Va.	July 21, 1861	Led repeated charges until wounded and taken prisoner.
843	Willey, Andrew, private, Company B, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
844	Willey, Frederick L., private, Company G, Twenty-seventh Maine Infantry.	do.....			Do.
1331	Williams, Ellwood N., private, Company A, Twenty-eighth Illinois Infantry.	Sept. 28, 1867	Shiloh, Tenn.	Apr. 6, 1862	A box of ammunition having been abandoned between the lines, this soldier voluntarily went forward with one companion, under a heavy fire from both armies, secured the box, and delivered it within the line of his regiment, his companion being mortally wounded.
1332	Williams, George C., quartermaster sergeant, First Battalion, Fourth U. S. Infantry.	Aug. 28, 1867			While on duty with the wagon train as quartermaster sergeant, he voluntarily left his place of safety in the rear, joined a company, and fought with distinguished gallantry through the action.
845	Williams, Joseph B., corporal, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
846	Williams, Josiah, private, Company G, Twenty-seventh Maine Infantry.	do.....			Do.
1750	Williams, Le Roy, sergeant, Company G, Eighth New York Heavy Artillery.	Apr. 1, 1868	Cold Harbor, Va.	June 3, 1864	Voluntarily exposed himself to the fire of the enemy's sharpshooters and located the body of his colonel, who had been killed close to the enemy's lines. Under cover of darkness, with four companions, he recovered the body and brought it within the Union lines, having approached within a few feet of the Confederate pickets while so engaged.
2482	Williams, Moses, first sergeant, Company I, Ninth U. S. Cavalry.	Nov. 12, 1866	Foot-hills of the Chicla Negro Mountains, N. Mex.	Aug. 16, 1881	Rallied a detachment, skillfully conducted a running fight of 3 or 4 hours, and by his coolness, bravery, and unflinching devotion to duty in standing by his commanding officer in an exposed position under a heavy fire from a large party of Indians, saved the lives of at least three of his comrades.
1751	Williams, William H., private, Company C, Eighty-second Ohio Infantry.	June 19, 1864	Peach Tree Creek, Ga.	July 20, 1864	Voluntarily went beyond the lines to observe the enemy; also aided a wounded comrade.
1833	Williamson, James A., colonel, Fourth Iowa Infantry.	Jan. 17, 1865	Chickasaw Miss.	Dec. 20, 1862	Led his regiment against a superior force, strongly entrenched, and held his ground when all support had been withdrawn.
1907	Williamson, Edward B., first lieutenant, Second U. S. Artillery.	Apr. 6, 1892	Trevilian Station, Va.	June 12, 1864	Distinguished gallantry.

989	Willis, Henry, private, Company C, Eighth U. S. Cavalry.	Aug. 12, 1875	Near Fort Selden, N. Mex.	July 8-11, 1873	Services against hostile Indians.
2489	Wilson, Arthur H. (See addenda.)	Nov. 19, 1870	Wichita River, Tex.	Oct. 5, 1870	Gallantry in action.
2493	Wilson, Benjamin, private, Company M, Sixth U. S. Cavalry.	Apr. 27, 1877	Cedar Creek, Mont.	Oct. 21, 1876, to Jan. 8, 1877.	Gallantry in actions.
2494	Wilson, Charles, corporal, Company H, Fifth U. S. Infantry.	July 3, 1865	Sallora Creek, Va.	Apr. 6, 1865	Charged the enemy's works, colors in hand, and had 2 horses shot under him.
1941	Wilson, Charles E., sergeant, Company A, First New Jersey Cavalry.	Jan. 24, 1865			See note at end of table.
847	Wilson, Charles W., private, Company A, Twenty-seventh Maine Infantry.	Dec. 30, 1868	Spottsylvania, Va.	May 12, 1864	Took the flag from the wounded color bearer and carried it in the charge over the Confederate works, in which charge he also captured the colors of the Fifty-sixth Virginia (C. S. A.), bringing off both flags in safety.
1612	Wilson, Christopher W., private, Company E, Seventy-third New York Infantry.	June 25, 1880	Petersburg, Va.	Apr. 2, 1865	Was among the first to penetrate the enemy's lines and himself captured a gun of the 2 batteries captured.
2141	Wilson, Francis A., corporal, Company B, Ninety-fifth Pennsylvania Infantry.	Jan. 24, 1865			See note at end of table.
848	Wilson, George, private, Company G, Twenty-seventh Maine Infantry.	July 3, 1865	Chamberlains Creek, Va.	Mar. 31, 1865	With the assistance of one comrade, headed off the advance of the enemy, shooting 2 of his color bearers; also posted himself between the enemy and the led horses of his own command, thus saving the herd from capture.
2130	Wilson, John, sergeant, Company L, First New Jersey Cavalry.	Sept. —, 1863	Georgia	April, 1862	One of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell), penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta.
948	Wilson, John A., private, Company C, Twenty-first Ohio Infantry.	July 3, 1897	Malvern Hill, Va.	Aug. 6, 1862	Remained on duty, while suffering from an acute illness and very weak, and participated in the action of that date. A few days previous he had been transferred to a staff corps, but preferred to remain until the close of the campaign, taking part in several actions.
2514	Wilson, John M., first lieutenant, U. S. Engineers.	Jan. 24, 1865			See note at end of table.
849	Wilson, John R., corporal, Company K, Twenty-seventh Maine Infantry.	Dec. 9, 1864	Texas	April, 1861	Do.
850	Wilson, Joseph D., private, Company B, Twenty-seventh Maine Infantry.	Dec. 2, 1878	Big Hole, Mont.	Aug. 9, 1877	Brought the colors of the regiment out of Texas after capture of regiment.
1057	Wilson, Joseph K., sergeant major, Eighth U. S. Infantry.	Apr. 27, 1872	Colorado Valley, Tex.	Mar. 28, 1872	Gallantry in forming company from line of skirmishers and deploying again under a galling fire, and in carrying dispatches at the imminent risk of his life.
2495	Wilson, Mildred H., sergeant, Company I, Seventh U. S. Infantry.	Nov. 19, 1873	Red River, Tex.	Sept. 26, 1872	Gallantry in pursuit of a band of cattle thieves from New Mexico.
2496	Wilson, William, sergeant, Company I, Fourth U. S. Cavalry.	Sept. 17, 1891	Sioux campaign	1890	Distinguished conduct in action with Indians.
2497	Wilson, William, sergeant, Company I, Fourth U. S. Cavalry.	Oct. 5, 1878	Little Big Horn, Mont.	June 25-28, 1876	Bravery.
2498	Wilson, William O., corporal, Company I, Ninth U. S. Cavalry.	Aug. 25, 1870	Wichita River, Tex.	July 12, 1870	With 3 comrades, during the entire engagement, courageously held a position that secured water for the command.
2499	Windolph, Charles, private, Company H, Seventh U. S. Cavalry.				Gallantry in action.
2490	Windus, Claron A., bugler, Company L, Sixth U. S. Cavalry.				

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
2094	Winegar, William W., lieutenant, Company B, Nineteenth New York Cavalry (First New York Dragoons).	May 3, 1865	Five Forks, Va.	Apr. 1, 1865.	Capture of battle flag.
851	Wingate, Jesse B., corporal, Company A, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
852	Winn, Oliver A., private, Company E, Twenty-seventh Maine Infantry.	do.			Do.
2491	Winterbottom, William, sergeant, Company A, Sixth U. S. Cavalry.	Aug. 25, 1870	Wichita River, Tex.	July 12, 1870.	Gallantry in action.
931	Wiseman, William H., first sergeant, Company E, Twenty-fourth V. R. C.	May 20, 1865		April, 1865.	In testimony of his faithful and exemplary conduct as one of the escort to the remains of President Lincoln to Springfield, Ill.
1803	Wisner, Lewis S., first lieutenant, Company K, One hundred and twenty-fourth New York Infantry.	Jan. 2, 1895	Spottsylvania, Va.	May 12, 1864.	While serving as an engineer officer voluntarily exposed himself to the enemy's fire.
901	Witcome, Joseph, private, Company B, Eighth U. S. Cavalry.	July 24, 1890	Arizona.	August to October 1890.	Bravery in actions and scoutings against Indians.
853	Witham, Josiah W., Jr., private, Company H, Twenty-seventh Maine Infantry.	Jan. 24, 1865			See note at end of table.
1058	Withington, William H., captain Company B, First Michigan Infantry.	Jan. 7, 1895	Bull Run, Va.	July 21, 1861.	Remained on the field under heavy fire to succor his superior officer.
949	Woliam, John, private, Company C, Thirty-third Ohio Infantry.	July 20, 1864	Georgia.	April, 1862.	One of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell) penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta.
1059	Wood, H. Clay, first lieutenant, First U. S. Infantry.	Oct. 28, 1893	Wilsons Creek, Mo.	Aug. 10, 1891.	Distinguished gallantry.
997	Wood, Leonard, assistant surgeon, U. S. A.	Apr. 8, 1898	Apache campaign.	Summer of 1890.	Voluntarily carried dispatches through a region infested with hostile Indians, making a journey of 70 miles in 1 night and walking 30 miles the next day. Also for several weeks, while in close pursuit of Geronimo's band, and constantly expecting an encounter, commanded a detachment of infantry, which was then without an officer, and to the command of which he was assigned upon his own request.
990	Wood, Mark, private, Company C, Twenty-first Ohio Infantry.	Sept. —, 1893	Georgia.	April, 1862.	One of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (or Buell) penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta.
1155	Wood, Richard H., captain Company A, Ninety-seventh Illinois Infantry.	Dec. 12, 1895	Vicksburg, Miss.	May 22, 1863.	Led the "volunteer storming party," which made a most gallant assault upon the enemy's works.

2095	Woodall, William H., scout, Gen. Sheridan's headquarters.	May 3, 1895	Apprentice cam- paign, Virginia.	Mar. 29 to Apr. 9, 1895.	Capture of headquarters flag of Brig. Gen. Banninger, commanding Brigade of North Carolina Cavalry (C. S. A.).
1000	Woodall, Zachariah, sergeant, Com- pany I, Sixth U. S. Cavalry.	Nov. 7, 1874	Washita River, Tex.	Sept. 12, 1874.	While in command of 5 men, and carrying dispatches, was attacked by 125 Indians, whom he, with his command, fought throughout the day, he being severely wounded.
1701	Woodbury, Eli D., sergeant, Company E, First Vermont Cavalry.	Oct. 26, 1864	Cedar Creek, Va.	Oct. 19, 1864.	Capture of flag of Tenth North Carolina Infantry (C. S. A.).
1732	Woodruff, Alonzo, sergeant, Company I, First U. S. Sharpshooters.	Jan. 29, 1896	Hatchers Run, Va.	Oct. 27, 1864.	Went to the assistance of a wounded and overpowered comrade, and in a hand-to-hand encounter effected his rescue.
1573	Woodruff, Carl A., first lieutenant, Second U. S. Artillery.	Sept. 1, 1893	Newbys Cross Roads, Va.	July 24, 1863.	While in command of a section of a battery constituting a portion of the rear guard of a division then retiring before the advance of a corps of infantry was attacked by the enemy and ordered to abandon his guns. Lieut. Woodruff disregarded the orders received and aided in repelling the attack and saving the guns. Saved the lives of his comrades and citizens of the detachment.
2492	Woods, Brent, sergeant, Company B, Ninth U. S. Cavalry.	July 12, 1894	New Mexico.	Aug. 19, 1881.	Capture of flag of Eighteenth Florida Infantry (C. S. A.).
2096	Woods, Daniel A., private, Company K, First Virginia Cavalry.	May 3, 1895	Sailors Creek, Va.	Apr. 6, 1895.	See note at end of table.
854	Woodsome, James L., private, Com- pany B, Twenty-seventh Maine Infantry.	Jan. 24, 1895			
1334	Woodward, Evan M., first lieutenant and adjutant, Second Pennsylvania Reserve Infantry.	Dec. 14, 1894	Fredericksburg, Va.	Dec. 13, 1892.	Advanced between the lines, demanded and received the surrender of the Nineteenth Georgia Infantry, and captured their battle flag.
855	Wormwood, John P., private, Com- pany I, Twenty-seventh Maine Infantry.	Jan. 24, 1895			See note at end of table.
856	Worster, Charles H., private, Company D, Twenty-seventh Maine Infantry.	do.....			Do.
1154	Worrick, Joseph, private, Company A, Sixth Missouri Infantry.	July 14, 1894	Vicksburg, Miss.	May 22, 1893.	Gallantry in the charge of the "volunteer storming party."
902	Worman, George G., sergeant, Com- pany B, Eighth U. S. Cavalry.	July 24, 1899	Arizona.	August to October, 1898.	Bravery in actions and scouts against Indians.
1228	Wray, William J., private, Company K, First V. R. C.	Dec. 15, 1892	Fort Stevens, D. C.	July 13, 1894.	Relieved the company at a critical moment during a change of pos- tion under fire.
1702	Wright, Albert D., captain, Company G, Forty-third U. S. C. T.	May 1, 1893	Petersburg, Va.	July 30, 1894.	Advanced beyond the enemy's lines, capturing a stand of colors and its color guard; was severely wounded.
857	Wright, George C., private, Company I, Twenty-seventh Maine Infantry.	Jan. 24, 1895	Chapel House Farm, Va.	Oct. 1, 1894.	Gallantry in action.
1908	Wright, Robert, private, Company G, Fourthenth U. S. Infantry.	Nov. 25, 1899	Nolensville, Tenn.	Feb. 15, 1893.	Was 1 of a detachment of 16 men who heroically defended a wagon train against the attack of 125 cavalry, repulsed the attack, and saved the train.
1464	Wright, Samuel, corporal, Company H, Second Minnesota Infantry.	Sept. 11, 1897		Sept. 17, 1892.	Voluntarily advanced under a destructive fire and removed a fence which would have impeded a contemplated charge.
1335	Wright, Samuel C., private, Company E, Twenty-ninth Massachusetts In- fantry.	Jan. 29, 1896	Antietam, Md.		
1909	Yeager, Jacob F., private, Company H, One hundred and first Ohio In- fantry.	Aug. 3, 1897	Buzzards Roost, Ga.	May 11, 1894.	Seized a shell with fuse burning that had fallen in the ranks of his company, and threw it into a stream, thereby probably saving his comrades from injury.
858	York, Charles E., private, Company F, Twenty-seventh Maine Infantry.	Jan. 24, 1895			See note at end of table.

Medals of honor issued by the War Department up to and including Sept. 1, 1904—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
859	York, Enoch, private, Company E, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
860	York, George H., private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
861	York, William H., private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
2077	Young, Andrew J., sergeant, Company F, First Pennsylvania Cavalry.	May 3, 1865	Palms Cross Roads, Va.	Apr. 5, 1865.	Capture of flag.
863	Young, Augustus D., private, Company G, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	See note at end of table.
1820	Young, Calvary M., sergeant, Company L, Third Iowa Cavalry.	Apr. 4, 1865	Osage, Kans.	Oct. 25, 1864.	Gallantry in capturing Gen. Cabell.
1804	Young, James M., private, Company B, Seventy-second New York Infantry.	Apr. 2, 1868	The Wilderness, Va.	May 6, 1864.	With 2 companions, voluntarily went forward in the forest to reconnoiter the enemy's position; was fired upon and 1 of his companions disabled. Private Young took the wounded man upon his back and, under fire, carried him within the Union lines. See note at end of table.
865	Young, John, private, Company K, Twenty-seventh Maine Infantry.	Jan. 24, 1865	.....	.....	Do.
864	Young, Orileas L., private, Company E, Twenty-seventh Maine Infantry.	do.....	.....	.....	Do.
1296	Young, Benjamin F., corporal, Company I, First Michigan Sharpshooters.	Dec. 1, 1864	Petersburg, Va.	June 17, 1864.	Capture of flag of Thirty-fifth North Carolina Infantry (C. S. A.).
1236	Yunker, John L., private, Company A, Twelfth U. S. Infantry.	Nov. 1, 1863	Cedar Mountain, Va.	Aug. 9, 1863.	Voluntarily carried an order, at great risk of life, in the face of a fire of grape and canister; in doing this he was wounded.
2483	Yount, John P., private, Company F, Third U. S. Cavalry.	Nov. 13, 1871	Whetstone Mountain, Ariz.	May 6, 1871.	Gallantry in action with Indians.
2461	Ziegner, Hermann, private, Company E, Seventh U. S. Cavalry.	June 23, 1891	Wounded Knee Creek and White Clay Creek, S. Dak.	Dec. 26-30, 1890.	Conspicuous bravery.

NOTE.—The term of service of the Twenty-seventh Maine Infantry being about to expire, the regiment was ordered to Arlington Heights, Va., where it arrived June 25, 1863, preparatory to being sent home for muster out. While the regiment was at that place the President requested it to remain in service a short time longer, on account of Lee's invasion of Pennsylvania. About 900 officers and enlisted men volunteered to remain, and did remain, at Arlington Heights, Va., in the defenses south of the Potomac, until the result of the battle of Gettysburg was known. They were sent home on July 4. The remainder of the regiment, consisting of about 600 officers and enlisted men, was sent home on July 1. The entire regiment was mustered out of service at Portland, Me., on July 17, 1863. On Jan. 24, 1865, medals of honor, 864 in number, were issued to all members of the regiment who were mustered out with it. The official records show that it was intended to issue the medal to those who volunteered to remain in service beyond the expiration of their term, but, evidently through inadvertence, the medal was also issued to about 600 members of the regiment who did not volunteer to remain in service. The records do not show either the names of those who volunteered to remain or of those who did not so volunteer.

(Circular.)

ADDENDA.

Medals of honor issued by the War Department from Sept. 1, 1904, to June 30, 1915.

[Contains a list of corrections made in the medal of honor circular of Sept. 1, 1904.]

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
2520	Anders, Frank L., corporal, Company B, First North Dakota Infantry.	Mar. 3, 1906	San Miguel de Mayo, Luzon, P. I.	May 13, 1899	With 11 other scouts, without waiting for the supporting battalion to aid them, or to get into a position to do so, charged over a distance of about 150 yards and completely routed about 300 of the enemy who were in line and in a position that could only be carried by a frontal attack. Voluntarily advanced with the head of the column and cut down the pursuing.
2150	Anderson, Bruce, private, Company K, One hundred and forty-second New York Infantry.	Nov. 18, 1914	Fort Fisher, N. C.	Jan. 15, 1865	Was one of a party that volunteered and attempted to run the enemy's batteries with a steam tug and 2 barges loaded with substantial stores.
965	Ballen, Frederick, private, Company B, Forty-seventh Ohio Infantry.	Nov. 6, 1908	Vicksburg, Miss.	May 3, 1863	Though severely wounded, was first of his regiment on the summit of the ridge, planted his colors inside the enemy's works, and did not leave the field until after he had been wounded five times.
1340	Bell, James B., sergeant, Company H, Eleventh Ohio Infantry.	Nov. 1, 1907	Missionary Ridge, Tenn.	Nov. 25, 1863	Voluntarily led a charge across a narrow bridge over the creek against the line of the enemy.
2815	Blunt, John W., first lieutenant, Company K, Sixth New York Cavalry.	June 1, 1908	Cedar Creek, Va.	Oct. 19, 1864	With 21 other scouts, charged across a burning bridge, under heavy fire, and completely routed 600 of the enemy who were entrenched in a strongly fortified position.
2827	Baehler, Otto, private, Company I, First North Dakota Infantry.	May 17, 1906	Near San Isidro, P. I.	May 16, 1899	Brought off from the picket line, under heavy fire, a comrade who had been shot through both legs.
2179	Bontwell, John W., private, Company B, Eighteenth New Hampshire Infantry.	Aug. 26, 1908	Petersburg, Va.	Apr. 2, 1865	Was the first enlisted man of the third division to mount the parapet of the enemy's lines.
2100	Buffington, John E., sergeant, Company C, Sixth Maryland Infantry.	Mar. 17, 1908	do.	do.	Brought off from the picket line, under heavy fire, a comrade who had been shot through both legs.
2181	Camp, Carlton N., private, Company B, Eighteenth New Hampshire Infantry.	Jan. 28, 1910	do.	do.	Assumed command of a detachment of the company, which survived an overwhelming attack of the enemy, and, by his bravery and untiring efforts and the exercise of extraordinarily good judgment in the handling of his men, successfully withstood for two days the attacks of a large force of the enemy, thereby saving the lives of the survivors and protecting the wounded until relief came.
2529	Carsen, Anthony J., corporal, Company H, Forty-third U. S. Volunteer Infantry.	Jan. 4, 1906	Catubig, Samar, P. I.	Apr. 15-19, 1900	

Medals of honor issued by the War Department from Sept. 1, 1904, to June 30, 1915—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
2531	Cecil, Josephus S, first lieutenant, Nineteenth U. S. Infantry.	Jan. 23, 1913	Bud-Dajo, Jolo, P. I.	Mar. 7, 1906	While at the head of the column about to assault the first cotia under a superior fire at short range, personally carried to a sheltered position a wounded man and the body of one who was killed beside him. Voluntarily advanced with the head of the column and cut down the palisading.
2152	Chaplin, Alaric B., private, Company G, One hundred and forty-second New York Infantry.	Dec. 28, 1914	Fort Fisher, N. C.	Jan. 15, 1865	In addition to performing gallantly the duties pertaining to his position, voluntarily and unaided carried several seriously wounded men from the firing line to a secure position in the rear, in each instance being subjected to a very heavy fire and great exposure and danger.
2600	Church, James Robb, assistant surgeon, First U. S. Volunteer Cavalry.	Jan. 10, 1906	Las Guasimas, Cuba	June 24, 1898	With 21 other scouts, charged across a burning bridge, under heavy fire, and completely routed 600 of the enemy who were intrenched in a strongly fortified position.
2533	Davis, Charles F., private, Company G, First North Dakota Infantry.	Apr. 28, 1906	Near San Isidro, P. I.	May 16, 1899	With 11 other scouts, without waiting for the supporting battalion to aid them, or to get into a position to do so, charged over a distance of about 150 yards and completely routed about 300 of the enemy who were in line and in a position that could only be carried by a frontal attack.
2534	Downs, Willis H., private, Company H, First North Dakota Infantry.	Feb. 16, 1906	San Miguel de Mayumo, Luzon, P. I.	May 13, 1899	Volunteered to carry the brigade flag after the bearer was wounded.
2156	Freeman, William H., private, Company B, One hundred and sixty-ninth New York Infantry.	May 27, 1906	Fort Fisher, N. C.	Jan. 15, 1865	Attempted, under a heavy fire of the enemy, to swim a river for the purpose of obtaining and returning with a canoe.
2539	Gaujot, Antoine A., corporal, Company M, Twenty-seventh U. S. Volunteer Infantry.	Feb. 15, 1911	San Mateo, P. I.	Dec. 19, 1899	Crossed the field of fire to obtain the permission of the rebel commander to receive the surrender of the surrounded forces of Mexican Federals and escort such forces, together with 5 Americans held as prisoners, to the American line.
2624	Gaujot, Julien E., captain, First U. S. Cavalry.	Nov. 23, 1912	Agua Prieta, Mex.	Apr. 13, 1911	Attempted, under a heavy fire of the enemy, to swim a river for the purpose of obtaining and returning with a canoe.
2441	Gibson, Edward H., sergeant, Company M, Twenty-seventh U. S. Volunteer Infantry.	Apr. 5, 1911	San Mateo, P. I.	Dec. 19, 1899	Was one of a party that volunteered and attempted to run the enemy's batteries with a steam tug and two barges loaded with subsistence stores.
946	Hack, John, private, Company B, Forty-seventh Ohio Infantry.	Feb. 5, 1907	Victoria, Mex.	May 3, 1863	While in action against hostile Moros voluntarily advanced alone, in the face of a heavy fire, to within about 15 yards of the hostile position, and reloaded to a tree a block and tackle used in checking the recoil of a mountain gun.
2246	Henderson, Joseph, quartermaster sergeant, Troop B, Sixth U. S. Cavalry.	Nov. 23, 1912	Pattian Island, P. I.	July 4, 1909	With 21 other scouts, charged across a burning bridge, under heavy fire, and completely routed 600 of the enemy who were intrenched in a strongly fortified position.
2647	Hugh, Frank C., private, Company G, Second Oregon Infantry.	Mar. 16, 1911	Near San Isidro, P. I.	May 16, 1899	

967	Hodges, Addison J., private, Company B, Forty-seventh Ohio Infantry.	Dec. 31, 1907	Vicksburg, Miss.	May 3, 1863	Was one of a party that volunteered and attempted to run the enemy's batteries with a steam tug and 2 barges loaded with subsistence stores. While engaged in repelling an attack of the enemy received a severe wound of the right arm, but instead of retiring remained at the front in command of the regiment.
2516	Hudekoper, Henry S., lieutenant colonel, One hundred and fiftieth Pennsylvania Infantry.	May 27, 1905	Gettysburg, Pa.	July 1, 1863	With 11 other scouts, without waiting for the supporting battalion to aid them, or to get into a position to do so, charged over a distance of about 150 yards and completely routed about 300 of the enemy who were in line and in a position that could only be carried by a frontal attack.
2549	Jensen, Gotfred, private, Company D, First North Dakota Infantry.	June 6, 1906	San Miguel de Luzon, P. I.	May 13, 1899	Voluntarily took part in and was dangerously wounded during an assault on the enemy's works.
2550	Johnson, Gordon, first lieutenant, Signal Corps.	Nov. 7, 1910	Mount Bud - Dajo, Jolo, P. I.	Mar. 7, 1906	While in action against hostile Moros he entered with a few enlisted men the mouth of a cave occupied by a desperate enemy, this act having been ordered after he had volunteered several times. In this action Lieut. Kennedy was severely wounded.
2551	Kennedy, John T., second lieutenant, Sixth U. S. Cavalry.	Nov. 23, 1912	Padian Island, P. I.	July 4, 1909	Within a range of 250 yards of the enemy, and in the face of a rapid fire, climbed a telegraph pole at the east end of the bridge and, in full view of the enemy, coolly and carefully repaired a broken telegraph wire, thereby reestablishing telegraphic communication to the front.
2552	Kilbourne, Charles E., first lieutenant, U. S. Volunteer Signal Corps.	May 6, 1905	Paco Bridge, P. I.	Feb. 5, 1899	With 21 other scouts, charged across a burning bridge, under heavy fire, and completely routed 600 of the enemy who were intrenched in a strongly fortified position.
2553	Kinne, John B., private, Company B, First North Dakota Infantry.	May 17, 1906	Near San Isidro, P. I.	May 16, 1899	Do.
2556	Longfellow, Richard M., private, Company A, First North Dakota Infantry.	June 14, 1909	do.	do.	
2557	Lyon, Edward E., private, Company B, Second Oregon Infantry.	Jan. 24, 1906	San Miguel de Luzon, P. I.	May 13, 1899	With 11 other scouts, without waiting for the supporting battalion to aid them, or to get into a position to do so, charged over a distance of about 150 yards and completely routed about 300 of the enemy who were in line and in a position that could only be carried by a frontal attack.
2159	Merrill, George, private, Company I, One hundred and forty-second New York Infantry.	Dec. 28, 1914	Fort Fisher, N. C.	Jan. 15, 1865	Voluntarily advanced with the head of the column and cut down the palisading.
2562	Miller, Archie, first lieutenant, Sixth U. S. Cavalry.	Nov. 23, 1912	Padian Island, P. I.	July 2, 1909	While in action against hostile Moros, when the machine-gun detachment having been driven from its position by a heavy fire, one member being killed, did, with the assistance of an enlisted man, place the machine gun in advance of its former position; at a distance of about 20 yards from the enemy, in accomplishing which he was obliged to splice a piece of timber to one leg of the gun tripod, all the while being under a heavy fire and the gun tripod being several times struck by bullets.
2563	Moran, John E., captain, Company L, Thirty-seventh U. S. Volunteer Infantry.	June 10, 1910	Near Mabtes, Laguna, Luzon, P. I.	Sept. 17, 1900	After the attacking party had become demoralized fearlessly led a small body of troops, under a severe fire and through water waist deep, in the attack against the enemy.
2564	Moether, Louis C., second lieutenant, Philippine Scouts.	Mar. 27, 1914	Bageak Mountain, Jolo, P. I.	June 11, 1913	Voluntarily entered a cleared space within about 20 yards of the Moro trenches, under a furious fire from them, and carried a wounded soldier of his company to safety at the risk of his own life.

Medals of honor issued by the War Department from Sept. 1, 1904, to June 30, 1915—Continued.

No.	Name, rank at date of action, and organization.	Date of issue.	Action.		Ground of award.
			Place.	Date.	
904	Nash, Henry, corporal, Company B, Forty-seventh Ohio Infantry.	Mar. 9, 1909	Vicksburg, Miss.	May 3, 1863	Was one of a party that volunteered and attempted to run the enemy's batteries with a steam tug and 2 barges loaded with subsistence stores.
2565	Nisporon, Jose B., private, Thirty-fourth Company, Philippine Scouts.	Nov. 25, 1912	Laprasp, Basilan, P. I.	Sept. 24, 1911	Having been badly wounded (his left arm was broken and lacerated and he had received several spear wounds in the body, so that he could not stand), continued to fire his rifle with one hand until the enemy was repulsed, thereby adding materially in preventing the annihilation of his party and the mutilation of their bodies.
2517	Porter, Ambrose, commissary sergeant, Company D, Twelfth Missouri Cavalry.	Aug. 24, 1906	Tallahatchie River, Miss.	Aug. 7, 1864	Was one of 4 volunteers who swam the river, under a brisk fire of the enemy's sharpshooters, and brought over a ferryboat, by means of which the troops crossed and dislodged the enemy from a strong position.
2549	Quinn, Peter H., private, Company L, Fourth U. S. Cavalry.	June 6, 1906	San Miguel de Melymo, Luzon, P. I.	May 13, 1890	With 11 other scouts, without waiting for the supporting battalion to aid them, or to get into a position to do so, charged over a distance of about 150 yards and completely routed about 300 of the enemy, who were in line and in a position that could only be carried by a frontal attack.
1011	Reidinger, J. Monroe, corporal, Company H, One hundred and fiftieth Pennsylvania Infantry.	Feb. 27, 1907	Gettysburg, Pa.	July 1, 1863	By joint resolution of Congress approved Jan. 25, 1907, for "Especially brave and meritorious conduct in the face of the enemy."
2571	Robertson, Marcus W., private, Company B, Second Oregon Infantry.	Apr. 23, 1906	Near San Isidro, P. I.	May 16, 1899	With 21 other scouts, charged across a burning bridge, under heavy fire, and completely routed 600 of the enemy, who were entrenched in a strongly fortified position.
2572	Ross, Frank F., private, Company H, First North Dakota Infantry.	June 6, 1906	do.	do.	Do.
2144	Sagehurst, John C., sergeant, Company B, First New Jersey Cavalry.	Jan. 3, 1906	Hatchers Run, Va.	Feb. 6, 1865	Under a heavy fire from the enemy, carried off the field a commissioned officer who was severely wounded, and also led a charge on the enemy's rifle pits.
1604	Seltzinger, James M., private, Company G, One hundred and sixteenth Pennsylvania Infantry.	Mar. 1, 1906	Cold Harbor, Va.	June 3, 1864	When the color bearer was shot down, this soldier seized the colors and bore them gallantly in a charge against the enemy.
2577	Shiele, George F., surgeon, U. S. Volunteers.	Nov. 22, 1906	Tulahan River, P. I.	Mar. 25, 1899	Voluntarily exposed himself to the fire of the enemy and went, with 4 men, to the relief of 2 native Filipinos lying wounded about 150 yards in front of the lines and personally carried one of them to a place of safety.
1016	Hittner, John O., contract surgeon, U. S. A.	Apr. 6, 1915	Lava Beds, Ore.	Jan. 17, 1873	In accordance with an act of Congress approved Mar. 4, 1915, for having rescued a wounded soldier who lay under a close and heavy fire during the assault on the Modoc stronghold, after 2 soldiers had unsuccessfully attempted to make the rescue and both had been wounded in doing so.

2580	Straub, Paul F., surgeon, Thirty-sixth U. S. Volunteer Infantry.	Oct. 6, 1906	Alas, Province of Zambales, Luzon, P. I.	Dec. 21, 1899	Voluntarily exposed himself to a hot fire from the enemy in repelling, with pistol fire, an insurgent attack, and at great risk of his own life, went under fire to the rescue of a wounded officer and carried him to a place of safety.
969	Sype, Peter, private, Company B, Forty-seventh Ohio Infantry.	June 6, 1912	Vietsburg, Miss.	May 3, 1863	Was one of a party that volunteered and attempted to run the enemy's batteries with a steam tug and 2 barges loaded with subsistence stores.
2582	Van Schateck, Louis J., first lieutenant, Fourth U. S. Infantry.	May 19, 1913	Near Nasugbu, Batangas, P. I.	Nov. 23, 1901	While in pursuit of a band of insurgents, was the first of his detachment to emerge from a canyon, and seeing a column of insurgents, and fearing they might turn and dispatch his men as they emerged, he by one from the canyon, galloped forward and closed with the insurgents, thereby throwing them into confusion until the arrival of others of the detachment.
2583	Von Schlick, Robert H., private, Company C, Ninth U. S. Infantry.	June 7, 1913	Tientsin, China.	July 13, 1900	Although previously wounded while carrying a wounded comrade to a place of safety, rejoined his command, which partly occupied an exposed position on a dike, remaining there after his command had been withdrawn, singly keeping up the fire and obliquely presenting himself as a conspicuous target until he was literally shot off his position by the enemy.
2586	Wald, Seth L., corporal, Company L, Eighth U. S. Infantry.	Oct. 10, 1908	La Paz, Leyte, P. I.	Dec. 5, 1906	With his right arm cut off by a bolo, went to the assistance of a wounded comrade, an officer, and a fellow soldier who were surrounded by about 40 Pulahanes, and, using his disabled rifle as a club, beat back the assaults and rescued his party.
1613	Welsh, James, private, Company E, Fourth Rhode Island Infantry.	June 3, 1905	Petersburg, Va.	July 30, 1864	Bore off the regimental colors after the color sergeant had been wounded and the color corporal bearing the colors killed, thereby saving the colors from capture.
2589	Wilson, Arthur H., second lieutenant, Sixth U. S. Cavalry.	Nov. 23, 1912	Petian Island, P. I.	July 4, 1909	While in action against hostile Moros, when, it being necessary to set a mountain gun in position by rope and tackle, voluntarily with the assistance of an enlisted man, carried the rope forward and fastened it, being all the time under heavy fire from the enemy at short range.

Corrections made in Medal of Honor circular of Sept. 1 1904.

Name.	Remarks.	Name.	Remarks.
Albee, George E.....	Should be first lieutenant, Forty-first U. S. Infantry.	Kelly, John J. H.....	Place of action should be Upper Wichita, Tex.
Austin, William G.....	Ground of award should read: While the Indians were concealed in a ravine, etc.	Kelly, Thomas, Company I, Fifth U. S. Infantry.....	Do.
Bennyard, William H. H.....	Should be first lieutenant of Engineers.	Kelly, Thomas, Company H, Seventh U. S. Infantry.....	Should be private, Company H, Twenty-first U. S. Infantry.
Burly, George.....	Name should be George Berg.	Kitchen, George K.....	Place of action should be Upper Wichita, Tex.
Butler, Edmund.....	Should be captain, Fifth U. S. Infantry.	Knox, John W.....	Do.
Butterfield, Frank G.....	Should be first lieutenant, Company C, Sixth Vermont Infantry.	Koelpin, William.....	Do.
Buzzard, Ulysses G.....	Should be corporal, Company C, Seventeenth U. S. Infantry.	MacArthur, Arthur, Jr.....	Date of action should be Nov. 23, 1863.
Carr, John.....	Date of action should be Oct. 20, 1899.	McCammon, William W.....	Should be first lieutenant.
Cary, James L.....	Name should be Carey. Place and date of action should be Appomattox Court House, Va., Apr. 9, 1865.	Neder, Adam.....	Place of action should be Upper Wichita, Tex.
Cosgrove, Thomas.....	Name omitted; should read: Private, Company F, Fourth Massachusetts Infantry; date of issue, Nov. 7, 1896; place and date of action, Drewrys Bluff, Va., May 15, 1864; ground of award, individually demanded and received the surrender of 17 armed Confederates concealed in a cellar, disarming and marching them in as prisoners of war.	Nee, George H.....	Should be private, Company A, Seventh U. S. Cavalry.
Day, Matthias W.....	Should be second lieutenant, Ninth U. S. Cavalry.	Nolan, Frederick S.....	Should be private, Company H, Twenty-first U. S. Infantry.
De Swan, John F.....	Should be private, Company H, Twenty-first U. S. Infantry.	Nolan, Joseph A.....	Place of action should be Upper Wichita, Tex.
Donoghoe, Timothy.....	Name should be Timothy Donoghue.	Phillipsen, Wilhelm O.....	Place of action should be Labo, Luzon, P. I.
Forsyth, Thomas M.....	Name should be Thomas H. Forsyth.	Rowland, Archibald H.....	Place of action should be Milk Creek, Colo.
Fournla, Frank O.....	Should be private, Company H, Twenty-first U. S. Infantry.	Schlaechter, Philip.....	Name should be Archibald H. Rowland, Jr.
Gall, Sterling A.....	Place of action should be Bataan, Luzon, P. I.	Schwenk, Martin.....	Name should be Philipp Schlaecher or It having been determined from evidence submitted by this soldier that his true name is George Martin, a medal of new design was furnished him under that name Mar. 8, 1906.
Geddes, Louis.....	Place of action should be Mount Amia, Cebu, P. I.	Shaw, George C. (2575).....	Name omitted; should read: First lieutenant, Twenty-seventh U. S. Infantry; date of issue, June 9, 1904; place and date of action, Fort Placius, Mindanao, P. I., May 4, 1903; ground of award, for distinguished gallantry in leading the assault and, under a heavy fire from the enemy, maintaining alone his position on the parapet after the first 3 men who had followed him there had been killed or wounded, until a foothold was gained by others and the capture of the place assured.
Golden, Theodore W.....	Name should be Theodore W. Goldin.	Singleton, Frank (Nellan, Fdk S.) (2389).....	Date of action should be Aug. 14, 1900.
Harbourn, John H.....	Date of issue should be Feb. 24, 1897.	Titus, Calvin Pearl.....	Should be first lieutenant, Eleventh U. S. Infantry.
Harrington, John.....	Place of action should be Wichita River, Tex.	Wood, H. Clay.....	Should be Zachariah T. Woodall. Place of action should be Wichita River, Tex.
Hawthorne, Harris S.....	Name should be Harris S. Hawthorn.	Woodall, Zachariah.....	
Hawthorne, Henry L.....	Name should be Harry L. Hawthorne.		
Hay, Fred S.....	Place of action should be Upper Wichita, Tex.		
Huntman, John A.....	Place of action should be Bataan, Luzon, P. I.		
Irwin, Bernard J. D.....	Place of action should be Apache Pass, Ariz.		
Keane, Joseph.....	Should be private, Company B, Twenty-sixth New York Infantry.		

VOLUME OF BRIEFS.

FILE OF 2,625 CASES SHOWING SYNOPSIS AND BASIS OF AWARD IN EACH CASE.

Cases Nos. 1 to 864, inclusive (19970-19991, 22771-22792, 24583). "The term of service of the Twenty-seventh Maine Infantry, being about to expire, the regiment was ordered to Arlington Heights, Va., where it arrived June 25, 1863, preparatory to being sent home for muster out. While the regiment was at that place the President requested it to remain in service a short time longer, on account of Lee's invasion of Pennsylvania. About 300 officers and enlisted men volunteered to remain, and did remain, at Arlington Heights, Va., in the defenses south of the Potomac, until the result of the battle of Gettysburg was known. They were sent home on July 4. The remainder of the regiment, consisting of about 560 officers and enlisted men, was sent home on July 1. The entire regiment was mustered out of service at Portland, Me., on July 17, 1863. On January 24, 1865, medals of honor, 864 in number, were issued to all members of the regiment who were mustered out with it. The official records show that it was intended to issue the medal to those who volunteered to remain in service beyond the expiration of their term, but, evidently through inadvertence, the medal was also issued to about 560 members of the regiment who did not volunteer to remain in service. The records do not show either the names of those who volunteered to remain or of those who did not so volunteer."

October 28, 1864, a true copy of the names of the commissioned officers and enlisted men mustered out of service of the United States July 17, 1863, compiled from the original muster-out rolls of said regiment now on file in this office. Samuel Brock, Acting Adjutant General.

General Order, 195, June 29, 1863.

September 29, 1864, letter to John Potts from Acting Adjutant General, inclosing list for whom medals are to be prepared.

January 24, 1865, letter from Acting Adjutant General Samuel Brock to governor of Maine, in which he transmits list of Twenty-seventh Maine to whom medals have been granted by the department. Medals sent by express. Request to cause them to be distributed to persons to whom awarded.

January 31, 1865, governor of Maine, Samuel Cony, acknowledges receipt of medals by express and inclosed list.

Brief PRD 1892.

January 16, 1892, Adjutant General's office letter to adjutant general of Maine.

January 23, 1892, Adjutant General's office letter to Capt. E. M. Rand, adjutant Twenty-seventh Maine Infantry.

January 27, 1892, letter from E. M. Rand, adjutant, to Adjutant General.

No date, adjutant Twenty-seventh Maine Volunteers, E. M. Rand, furnishes list of Company A, Twenty-seventh Maine, who were at Arlington Heights July 4, 1863.

April 7, 1892, Lieut. Moses S. Hurd, Company B, furnishes list of Company B, who remained after term of service expired.

April 20, 1892, Capt. Getchell furnishes list of Company E, who remained after term of service expired.

Adj. Rand furnishes list of Company I, who volunteered to stay four days after expiration of term of service.

April 14, 1892, incomplete list of Company G, Twenty-seventh Maine furnished by Lieut. Shapleigh, of those who remained after their term of service had expired.

December 29, 1891; January 8, 1892; January 18, 1892, letters Capt. H. B. Osgood, United States Army.

February 16, 1892, letter to adjutant general State of Maine.

April 5, 1892, letters to eight company commanders Twenty-seventh Maine, asking for lists.

June 27, 1916¹ adjutant general State of Maine furnished printed history of the Twenty-seventh Maine.

Eight hundred and sixty-four medals issued June 24, 1865.

One to 864, inclusive, Twenty-seventh Maine Volunteer Infantry.

Cases Nos. 908 to 931 (491565). Escort President Lincoln's remains from Washington, D. C., to Springfield, Ill., April, 1865. Testimony faithful and exemplary conduct.

May 20, 1865, manuscript letter, unsigned, addressed to Capt. McCamly, Ninth Regiment Veteran Reserve Corps, stating that report had been made to the Secretary of War of satisfactory and faithful service of officers and first sergeants escorting Lincoln's remains.

May 9, 1865, memorandum of letter in manuscript addressed to John Potts, chief clerk, War Department, signed E. D. T. (No record of this letter found in Record Division of War Department.)

Letter incloses list of four officers and 25 first sergeants, all of the Veteran Reserve Corps, and directs, in name of Secretary of War, appropriate medals of honor.

Twenty-nine medals issued May 20, 1865.

908. Barry, John P.
904. Bullock, Luther E.
905. Callaghan, Patrick.
906. Carey, Frank.
907. Carpenter, Samuel.
908. Carr, Augustus E.
909. Collins, James.
910. Cornwell, Addison.
911. Daly, William F.
912. Durgin, William W.
913. Durkee, Joseph H.
914. Edwards, John R.
915. Forehand, Lloyd D.
916. Goodrich, George E.
917. Hanna, John.

918. Hoppy, Edward.
919. Karr, John.
920. Lewis, Rufus W.
921. Marshall, A. Judson.
922. McCamly, James M.
923. Murphy, Edward.
924. Nelson, Jacob F.
925. Noble, William H.
926. Pardun, James M.
927. Sedgwick, Irvin M.
928. Smith, Frank T.
929. Smith, John P.
930. Swinehart, Chester.
931. Wiseman, William H.

General Order } HEADQUARTERS FIRST BRIGADE, VETERAN RESERVE CORPS,
No. 36. } Washington, D. C., April 19, 1865.

Pursuant to orders from headquarters, department of Washington, requiring that 1 captain, 3 subalterns and 25 first sergeants be detailed as a guard of honor to escort the remains of the late President to their final resting place in Illinois, and that the detail consist of the best and most reliable men in the command, the following-named officers and first sergeants are detailed for this duty, and the commanding officer, Capt. James McCamly, will report for instructions to Brig. Gen. E. D. Townsend, Assistant Adjutant General, at the War Department at 10 o'clock a. m. to-morrow the 20th instant.

* * * * *

By command of Col. George W. Gile:

H. M. BREWSTER,
Captain and Acting Assistant Adjutant General.

Case No. 977 (934-1891). Distinguished services performed during the Civil War.

April 2, 1892, Adjutant General furnishes military record of 977; states: "Handed to me by 977, April 2, 1892, for file; signed by Breck; note at bottom original memorandum in handwriting of clerk, and interlineations presumed to be in handwriting of 977."

Letter, September 18, 1872, from 977, to Secretary of War Belknap, requests medal of honor under General Order No. 195; in last paragraph states: "I

¹ July 11, 1916, W. S. Hasty, secretary Twenty-seventh Regiment Maine Association, furnished a list of officers and enlisted men, still living, who remained after their term of service expired, and assisted in the defenses of Washington. This list was taken from Col. Stone's History of the Twenty-seventh Maine Regiment Association. In this list appear the names of L. Nason, private, Company B; George Hobbs and Justin Spinney, volunteer recruits, who are not included in the official medal of honor list, and received no medals. Deducting these three from the 312 named by him, there remain 309 on the official list. The War Department records partially confirm this list for Companies A, B, E, I, and G.

understand there are a number of bronze medals for distribution to soldiers of the late war, and request may be allowed one as a souvenir of memorable times now past."

April 1, 1892, H. T. Crosby, chief clerk, makes affidavit by letter basis upon which medal was issued; subscribed and sworn to; same date Crosby writes letter to Adjutant General; says when chief clerk he became personally acquainted with the facts noted.

January 19, 1891, Adj. Gen. Kelton's letter to Schofield, stating that on September 8, 1872, 977 applied by letter to Secretary of War for medal because he had volunteered his services in Pennsylvania and Maryland campaign, 1863, and was recommended for brevet. Asked that he might be allowed medal as souvenir of memorable times now past; approved by Secretary of War, stating invariable custom of this office to have name of recipient and precise statement of particular service engraved before delivery. The engraver's bill shows 15 medals while the War Department records show issue of 16. In view of the proposition to enter the Army Register, question presented "Was the medal now in possession of 977 given as a mere souvenir or can it be classed as medal of honor formally granted under resolution July 12, 1862?"

January 20, 1891, indorsement. Gen. Schofield states medal "does not appear to have been formally granted to 977 and can not be classed as one of the medals of honor."

Note by S. Breck, Adjutant General, directs name be taken off list of Army Register, and it has been done.

April 30, 1892, brief of 977 case submitted to Schofield; stated "merits of claim not in question, as that action had been taken by the Secretary, long since out of office"

One medal issued September 23, 1872.

977. Gardiner, Asa B.

Cases Nos. 958 and 959 (7560 V. S. A. G. O. 87). Offered his services to Government and remained in service several weeks after term of enlistment had expired, during Lee's invasion of Pennsylvania.

959. June 17, 1863, offered his services to the Government and remained in service several weeks after expiration of his term.

March 14, 1887, Col. G. W. Mindil asks medals for these two men.

April 27, 1887, letter Adjutant General to Secretary of War shows record and service.

May 5, 1887, letter to chief clerk; preparation of two medals.

May 17, 1887, Secretary of War approved award of medals to these two men on the ground of their voluntary tender of service in the defense of Pennsylvania after the term for which they were mustered had expired.

Two medals issued May 11, 1887, and May 17, 1887.

958. Lambert, William H., Twenty-seventh New Jersey Volunteer Infantry.

959. Pierson, Stephen, Twenty-seventh New Jersey Volunteer Infantry.

Case No. 960 (6332C 88). June 17, 1863. Offered his services to the Government and remained in service several weeks after his term of enlistment had expired.

July 9, 1888, this man requested medal under General Order 195, War Department, 1863.

July 14, 1888, Adjutant General indorsement: This case similar to that of Thomas Reed to whom medal of honor was granted by Secretary of War.

July 20, 1888, medal will be issued by order of Secretary of War.

July 24, 1888, letter to chief clerk; preparation of medal.

August 4, 1888, medal awarded for distinguished service while sergeant Company K, Twenty-seventh New Jersey Volunteers.

One medal issued August 4, 1888.

960. Leport, William T., Company K, Twenty-seventh New Jersey Volunteer Infantry.

Case No. 961 (13975B 79). June 17, 1863. Offered his services to the Government and remained in service several weeks after expiration of term of enlistment.

November 1, 1879, this man asks for medal under General Order 195, June 20, 1863.

November 11, 1879, Adj. Gen. Townsend says: "There was no money provided for obtaining medals referred to under General Order 195, 1863. On

applying for more particular instructions the Adjutant General was directed to defer action on the subject indefinitely."

April 7, 1884, this man again asks for medal under General Order 195, 1863, for which he applied in 1879, citing provisions of act of March 3, 1863.

April 9, 1884, notation: "It is understood that there is a large stock of medals on hand from which this can be issued if deserved. L. W. T."

April 25, 1884, R. C. Drum, Acting Adjutant General, says large stock medals still on hand.

Copy of General Order 195, June 29, 1863.

April 28, 1884, Secretary of War Lincoln notes: "A medal will be issued in this case from stock on hand."

One medal issued May 17, 1884.

961. Reed, Thomas, Company C, Twenty-seventh New Jersey Volunteer Infantry.

Case No. 955 (69911) 86). June 17, 1863. Volunteered the services of his regiment and continued it in service several weeks after its terms had expired.

October 4, 1886, this man requests information in regard to his communication to the War Department three months previous in reference to medal of honor.

June 27, 1886, letter of applicant requesting medal; describes service, giving copy of correspondence between President Lincoln and himself as colonel of the regiment.

July 22, 1886, Adjutant General's brief showing military record and service.

In 1884 T. M. Reed, member of Twenty-seventh New Jersey, applied for a medal under General Order 195, 1863.

Adjutant General invites attention to his former report that no money was provided for obtaining the medals contemplated by this order (195).

April 28, 1884, Secretary of War directed the issuance of medal to Reed from stock on hand.

August 21, 1886, indorsement: "No action, file, by order Acting Secretary of War: Saml. Hodgkins, acting chief clerk."

February 2, 1887, Secretary of War authorizes medal of honor to be sent to this man (R. C. D.).

Letter of chief clerk, February 4, 1887, requesting engraving of medal.

One medal issued February 10, 1887.

955. Mindil, George W., Twenty-seventh New Jersey Infantry.

Case No. 1733 (52960-97). Wilderness, Va., May 5, 1864. Under heavy fire of advancing enemy, picked up and carried several hundreds yards, to a place of safety, a wounded officer of his regiment, who was helpless and would otherwise have been burned in the forest.

December, 1893, this man, by affidavit, applies for medal, describing incident. Capt. Cooley, commanding battalion, eyewitness, dead.

Adjutant General's Office record clear as far as this man is concerned, but reports of officers meager and do not mention names of officers of Capt. Cooley's command.

"No action to be taken until something official turns up. H. S. B."

March, 1897, this man reopens case, referring to former application.

April 23, 1897, forwarded letters from Lieut. Col. Head and Capt. McNaught: very meager testimony.

July 23, 1897, Alger presents medal.

August 26, 1897, Capt. John C. White, retired, seeing notice of award of medal, says in a private letter that Lieut. Col. 1733 did not carry Lieut. Staples to the rear, as alleged; that he (Capt. White, a sergeant at the time) and another sergeant carried the lieutenant to the rear.

One medal issued July 23, 1897.

1733. Patterson, John H., Twenty-second United States Infantry.

Case No. 1531 (289865). Gettysburg, Pa., July 3, 1863. Conspicuous bravery on third day of battle in countercharge against Pickett's Division, where he fell, severely wounded, within enemy's lines.

June 29, 1891, Lieut. J. F. Aytown requests medal for this man; describes incident.

June 22, 1864, Gen. Heintzelman telegram in regard to escaped prisoner.

January 3, 1866, letter Gen. Barlow recommends this man for brigadier general's commission.

January 13, 1866, Gen. Grant, not approved.

July 1, 1867, Lieut. Col. W. E. Hinks, Fortieth Infantry.

July 10, 1891, A. G. Vincent, adverse recommendation.

July 11, 1891, Acting Secretary concurs.

July 22, 1891, Senator Dawes forwards petition signed by 43 members Nineteenth Massachusetts Regiment Association.

September 25, 1891, Schofield recommends medal for conspicuous bravery third day at Gettysburg; nearly all deserving of higher rewards, this man among these.

September 26, 1891, Assistant Secretary directs issue.

One medal issued October 6, 1891.

1531. Rice, Edmund, Nineteenth Massachusetts Volunteers and Fifth United States Infantry.

Case No. 1758 (30892). Cane River Crossing, La., April 23, 1864. Voluntarily led successful assault on a fortified position.

March 30, 1892, letter applicant, through his Member Congress, to President, asking for medal.

Copies and two original recommendations and requests respecting brevet assignment and appointment during Rebellion.

January 21, 1892, Schofield, adverse recommendation.

March 1, 1897, E. B. Whitney, Assistant Attorney General, renews application; incloses original letter Maj. Gen. N. P. Banks, June 14, 1869; mentioned particularly for distinguished service; leading regiment in charge.

Gen. William B. Franklin, October 11, 1864, same mention.

Capt. H. C. Conradie letter, December, 1897, details service at battle.

Capt. J. M. Bagley, One hundred and thirty-seventh New York, confirms Conradie's statement.

Maj. Davis believes evidence sufficient to support claim and recommends presentation of medal.

June 30, 1897, Secretary Alger presents medal.

One medal issued, June 5, 1894.

1758. Beech, John P., Ordnance Department, United States Army.

Case No. 1765 (354656). Swifts Creek, Va., May 9, 1864. During sudden night attack on Burnham's brigade, resulting in such confusion, this man, without waiting for orders, led regiment forward and interposed line between advancing enemy and Hunt's battery, repulsing attack and saving guns.

August 18, 1892, Senator Chandler and Congressman Milliken each ask medal for this man.

Extracts contemporaneous reports: May 25, 1864, Gen. Brookes; May 22, 1864, Gen. Burnham; July 16, 1866, Gen. Ord.

Applications of Chandler and Milliken were returned, evidence being too meager. Evidence eyewitnesses required.

Capt. J. A. Sanborn, Tenth New Hampshire, gives statement; extracts History New Hampshire Troops, Thirteenth Regiment.

August 23, 1893, Grant directs issue of medal for distinguished gallantry.

One medal issued August 31, 1893.

1765. Coughlin, John, Tenth New Hampshire Volunteers.

Case No. 1476 (402001). Near Fort Wagner, S. C., July 13, 14, and 18, 1863. Voluntarily performing picket duty under fire, attacked and surrender demanded; killed assailant. Responded to call for volunteers to reconnoiter enemy's position; went within enemy's lines under fire; exposed to great danger. Voluntarily exposed himself with great gallantry during an assault; received three wounds; permanently disabled for active service.

December 5, 1894, Congressman Cochran, through his secretary, submits papers recommending this man for medal.

December 12, 1894, Adjutant General asks for further particulars.

Affidavit of applicant and the following affidavits submitted: August 16, 1897, W. T. Manley; August 28, 1897, Lieut. H. C. Shultz; September 11, 1897, George C. Sparks, color sergeant, Corp'l. Paul Parkin; October 5, 1897, Lieut. H. C. Shultz.

Certificate, Lieut. James Himrod, Forty-eighth New York Volunteers.

Letter, William T. Manley, dated June 9, 1894.

February 26, 1897, this man again reopens case and furnishes additional statements signed by himself, dated July 13, 14, and 18, 1863.

October 13, 1897, Secretary Alger presents medal.

One medal issued October 23, 1897.

1476. Hibson, Joseph C., Forty-eighth New York Volunteers.

Case No. 1753 (353892). Nashville, Tenn., December 16, 1864. Led his regiment over five lines of the enemy's works, where he fell, severely wounded.

August 9, 1892, this man asks for medal. Describes service.

August 24, 1892, returned, application to be made by some disinterested person; evidence of eyewitnesses.

December, 1892, petition signed by 11 members of Fifty-first Indiana Volunteers for medal for 1753.

Similar petition sent through Gen. T. J. Wood, signed by eight officers of Fifty-first Indiana.

March 31, 1893, letter of Gen. T. J. Wood for medal for this man.

June 15, 1893, letter of Gen. D. S. Stanley.

June 7, 1893, letter of 1753 to Gen. Stanley.

April 12, 1893, affidavit of G. W. Searce, Fifty-first Indiana.

August 22, 1893, Assistant Secretary L. A. Grant issues medal for conspicuous gallantry.

One medal issued September 1, 1893.

1753. Anderson, Marion T., captain, Company D, Fifty-first Indiana Infantry.

Case No. 1333 (384372). Chickasaw Bayou, Miss., December 29, 1862. Led his regiment against a superior force, strongly entrenched, and held his ground when all support had been withdrawn.

March 9, 1894, Gen. E. A. Carr asks medal for this man.

May 5, 1894, denied. Medals are not given to general or other officers for leading their commands. Does not come within the spirit of the law.

March 23, 1894, statement of eyewitnesses called for. No. 1333 submits extracts of rebellion records.

August 15, 1894, affidavit of Lyman Richardson, captain, First Nebraska Infantry, staff of Gen. Thayer.

August 31, 1894, letter of Gen. John M. Thayer.

January 11, 1895, Assistant Secretary Doe presents medal for most distinguished gallantry in action.

One medal issued January 17, 1895.

1333. Williamson, James A., colonel Fourth Iowa Infantry.

Case No. 1526 (469237). Burnt Ordinary, Va., January 19, 1863. Was one of a small scouting party that charged and routed a mounted force of the enemy six times their number. He led the charge in a most gallant and distinguished manner, going far beyond the call of duty.

June 26, 1897, J. B. O'Neil requests medal for this man.

Affidavit of 1526; statement of Maj. W. C. McCandless, Fifth Pennsylvania Cavalry, page 130, volume 18, series 1, R. R.; statement of Peter O'Hara, Company K.

Additional testimony called for and affidavits of 1526, F. M. Smith, and J. Anderson submitted.

January 20, 1893, newspaper clipping describing incident.

July 19, 1897, Secretary Alger presents medal for leading charge in most gallant and distinguished manner.

One medal issued August 2, 1897.

1526. McKeever, Michael, private, Company K, Fifth Pennsylvania Cavalry.

Case No. 1559 (456537). Gettysburg, Pa., July 2, 1863. Voluntarily assisted wounded comrade to place of apparent safety while enemy were in close proximity; received wound resulting in amputation of leg.

August 12, 1896, this man by affidavit requests medal.

Affidavits: Capt. J. M. Pipes, Capt. E. M. Robinson, Pvt. G. N. Doman, all One hundred and fortieth Pennsylvania Infantry.

May 13, 1896, letter Sergt. G. W. Smail, One hundred and fortieth Pennsylvania.

July 24, 1896, letter Corpl. J. I. Smith, One hundred and fortieth Pennsylvania.

October 26, 1896, Assistant Secretary Doe awards medal.

One medal issued October 30, 1896.

1559. Purman, James Jackson, Company A, One hundred and fortieth Pennsylvania Volunteers.

Case No. 1563 (466265). Near Moorefield, W. Va., September 11, 1863. Voluntarily crossed branch Potomac River under fire to rescue wounded comrade held prisoner by enemy; wounded and taken prisoner in attempt.

January 7, 1897, Congressman Atcheson submits papers and petition for this man signed by Capt. B. W. Denny, Maj. George T. Work and 25 others of Twenty-second Pennsylvania Volunteer Cavalry.

Affidavit S. S. Bayne and statement January 20, 1897, G. T. Work, major; B. W. Denny, captain.

Affidavit H. L. Prall.

August 2, 1897, after careful consideration, evident this man brave soldier; exhibition valor, etc.; adverse decision reached.

Supplemental report submitted August 2, 1897.

Following additional testimony and petitions submitted August 19, 1897: Colonel, major and 12 enlisted men Twenty-second Pennsylvania Cavalry petition; affidavit of applicant; affidavit of Lacock, Enoch, Ross, Wise, all comrades Twenty-second Pennsylvania, Company F.

Letter recommendation Col. Greenfield, Maj. Work, Com. Sergt. Hedge, who indorse affidavits and petitions.

March 22, 1898, Secretary Alger presents medal.

One medal issued April 4, 1898.

1563. Slusher, Henry C., Twenty-second Pennsylvania Cavalry.

Case No. 1440 (402701). Gettysburg, Pa., July 2, 1863. While acting as an aid, voluntarily led a regiment to the relief of a battery and recaptured its guns from the enemy.

December 31, 1893. Congressman D. E. Sickles submits papers recommending this man for medal.

January 16, 1894, letter of H. E. Tremain recommending 1440 for award of medal.

August 15, 1870, Lieut. Sam Peoples requests medal; describes incident.

January 9, 1894, Affidavit of Col. Hugo Hillebrandt, Thirty-ninth New York Volunteers.

January 4, 1894, affidavit of Eben M. Door, aid to Gen. Robertson.

Extract of contemporaneous report of A. P. Martin; mentions this man for gallantry.

Maj. Gen. Geo. Sykes commends this man; "richly deserves promotion for his conduct, and I trust the Government will not withhold it." (P. 594, vol. 27, pt. 1, series 1.)

February 28, 1894, Secretary of War, statement and record as to facts are too uncertain and conflicting. Application denied. The rewarding of an act because successful, which would, in case of failure, have called for severe censure, if not greater punishment.

H. L. Terrill states, please consider that I have spoken in his behalf.

December 6, 1894, Senator Edward Murphy is requested to bring case to personal attention of Secretary of War. Inclosed with Mr. Patterson's letter is copy of letter of Gen. Sickles dated May 27, 1894.

Copy of resolution of third Army Corps Union.

May 18, 1894, copy of certificate of Capt. Martin.

May 27, 1871, newspaper clipping describes this man's military career.

June 5, 1894, report and resolution of the Military Order of the Loyal Legion.

December 15, 1894, original and supplementary brief in this case submitted to Secretary of War.

December 17, 1894, Secretary Lamont awards medal for gallantry at Gettysburg.

One medal issued December 29, 1894.

1440. Fassett, John B., Captain Company F, Twenty-third Pennsylvania Infantry.

Case No. 1468 (452332). Vicksburg, Miss., May 19, 1863. Voluntarily carried a verbal message from Col. A. C. Parry to Gen. Hugh Ewing through a terrific fire and in plain view of the enemy.

June 9, 1896; this man asks for medal. Supports his application by affidavit of Col. T. T. Taylor of Forty-seventh Ohio Infantry; affidavit of Lieut. H. W. Durrell, Forty-seventh Ohio Infantry; affidavit of Corpl. L. Guhe, Forty-seventh Ohio Infantry, and Lieut. J. W. Du Chemin, Forty-seventh Ohio Infantry.

June 16, 1896, application denied. Application should have been made by some one other than the recipient.

July 4, 1896, resolution of Post No. 204, Grand Army of the Republic, Department of Ohio.

Letter of Col. Taylor.

Affidavit of William B. Everson.

August 15, 1896, requirements have been fulfilled, and medal is presented by Assistant Secretary Doe for most distinguished gallantry during assault of May 19, 1863.

One medal issued August 24, 1896.

1468. Brown, John H., first sergeant, Company A, Forty-seventh Ohio Infantry.

Case No. 1483 (572268). Elk River, Tenn., July 2, 1863. Voluntarily joined small party that, under heavy fire, captured a stockade and saved bridge.

January 6, 1890, Lieut. W. W. Calkins, One hundred and fourth Illinois, asks medal for this man and incloses in support affidavit of 1483, affidavits of Capt. W. H. Collins, Capt. R. J. Gage, Lieut. Col. Douglas Haitman, Sergt. George Marsh, and Pvt. A. N. Hurin, all August and October, 1897.

Report John Beatty, commanding First Brigade, dated July, 1863, describes incident of engagement; also Maj. Gen. Negley reports engagement.

March 12, 1900, medal awarded by Acting Secretary Meiklejohn.

One medal issued March 27, 1900.

1483. Houghton, George L., Company D, One hundred and fourth Illinois Volunteers.

Case No. 1434 (496588). Monterey Mountain, Pa., July 4, 1863. While commanding regiment charged down mountain side, night, heavy rain, upon enemy's fleeing wagon train. Many wagons captured and destroyed and many prisoners taken.

October 21, 1897, J. T. Hunter asks medal for this man; incloses personal letter Gen. J. Kilpatrick, June 21, 1880.

Charge of brigade under this man mentioned in report Col. M. P. Richmond, September 5, 1863.

Report 1434, August 17, 1863, of engagement.

Further evidence submitted present not sufficient, medal not for brave leadership.

Letter December 28, 1897, L. G. Estes; copy of records referred to and another affidavit of applicant sent January 4, 1898.

April 2, 1898, Assistant Secretary Meiklejohn presents medal.

One medal issued April 7, 1898.

1434. Capehart, Charles E., First West Virginia Volunteer Cavalry.

Case No. 1491 (477096). Knoxville, Tenn., November 20, 1863. Voluntarily accompanied party to destroy buildings within enemy's lines, whence sharpshooters had been firing, disregarded order to retire, remained, fired buildings, imminent risk life, advancing enemy.

April 21, 1897, H. Brearley, Seventeenth Michigan, asks medal for this man; describes incident; accompanied by statement Lieut. Col. F. W. Swift, Seventeenth Michigan.

March 1, 1897, statement of applicant describing incident.

Quotation from Rebellion Records, report Lieut. S. N. Benjamin, Second United States Artillery.

July 26, 1897, Secretary Alger presents medal.

One medal issued August 3, 1897.

1491. Shepard, Irwin, Company E, Seventeenth Michigan Infantry.

Case No. 1541 (479026). Chattanooga, Tenn., November 23, 1863. Excused from duty account sickness, went to front in command storming party, with conspicuous gallantry participated in assault Missionary Ridge; here wounded, permanently disabled.

February 25, 1895, Col. G. W. Mindil, Thirty-third New Jersey Volunteers, asks medal for this man; describes incident.

February 27, 1895, Gov. Werts of New Jersey also asks for medal.

Report December, 1863, Col. Mindil, also letter Capt. H. C. Bartlett, April 24, 1864, with indorsements of Maj. Peloutet, Lieut. Col. E. Fouratt, and Surg. J. Simons on application for transfer of this man to Volunteer Reserve Corps.

March 12, 1895, denied evidence insufficient.

March 14, 1895, Col. Mindil letter asks reconsideration.

March 20, 1895, no new facts—plain duty.

May 7, 1897, Vice President G. A. Hobart transmits letter Gen. Mindil May 3, 1897, fuller details.

Indorsement August 12, 1897, adverse action canceled.

August 17, 1897, Secretary Alger presents medal for conspicuous gallantry.

One medal issued September 10, 1897.

1541. Toffey, John J., Company G, Thirty-third New Jersey Volunteers.

Case No. 1269 (555407). Near the Chattahoochee River, Ga., October 1, 1864. While escaped prisoner war within Confederate lines witnessed important movement enemy; great risk made his way through lines and brought news of movement to Sherman's army.

July 19, 1898, W. S. Green asks medal for this man. December 2, 1898 2, L. G. Estes, assistant adjutant general, describes.

February 21, 1899, letter Gen. William Ludlow.

Statement of 1269 showing military record.

Pamphlet, Experiences in Rebel Military Prisons, by 1269.

June 15, 1899, applicant requests medal; describes services; sworn to same date.

Map drawn by applicant showing route of escape.

July 31, 1899, Secretary Alger awards for most distinguished gallantry.

One medal issued August 4, 1899.

1269. Keen, Joseph S., Company D, Thirteenth Michigan Infantry.

Case No. 1234 (491543-523618). Stone River, Tenn., December 31, 1862. When break occurred on extreme right wing of Army Cumberland, this man rallied fugitives from other commands and deployed his own regiment, checking Confederate advance until new line established.

August 14, 1897, this man asks for medal, accompanied by extracts—commendatory reports; January 7, 1863, Lieut. Col. Chas. Hotchkiss commends him specifically.

June 30, 1898, Gen. H. V. Boynton asks for medal and describes service.

April 28, 1899, Col. C. T. Hotchkiss, Eighty-eighth Illinois, letter.

Statement June 30, 1902, Lieut. and Adj. J. M. Grosh, Eighty-ninth Illinois.

July 11, 1902, Gen. Young's board recommends medal for most distinguished gallantry in action; approved by Secretary Root, July 19, 1902.

One medal issued August 6, 1902.

1234. Farquhar, John M., Eighty-ninth Illinois Infantry.

Case No. 1230 (672 A 80). Williamsburg, Va., May 5, 1862. Oak Grove, Va., June 25, 1862. Bravery in repulsing enemy's charge on battery. Crawled outside lines and obtained important information.

May 22, 1888, this man files application for medal, with following affidavits and statements, etc.: February 22, 1888, affidavit F. A. Fletcher, sergeant Second New Hampshire; Sergt. T. E. Marshall, July 31, 1888; certificate Lieut. E. L. Bailey, Fourth Infantry, hearsay evidence, Sept. 10, 1887; affidavit A. A. Forbush, May 18, 1888; affidavit Pvt. A. F. Baxter, April 30, 1888; June 4, 1888, Congressman McKinney writes Secretary of War.

July 28, 1888, affidavit by F. A. Fletcher, sergeant.

July 27, 1888, statement A. A. Forbush explaining affidavit.

June 21, 1888, Secretary of War states this man brave and faithful soldier but case does not come under the law for a medal.

May 19, 1889, Senator H. W. Blair asks for medal.

Senator Blair calls upon Secretary of War, also the applicant.

August 21, 1889, applicant submits affidavits of Marshall, Forbush, and Fletcher: "Most gallant and daring at Williamsburg;" Fletcher says he should have stated: "The best, most gallant, conspicuous, and bravest soldier particularly in battle of Williamsburg."

August 2, 1889, Schofield states: "In my opinion this man should be given medal under act of Congress, July 12, 1862."

Schofield, Acting Secretary of War, October 4, 1889, approves and medal awarded.

One medal issued October 10, 1889.

1230. Dillon, Michael A., Company G, Second New Hampshire Volunteers.

Case No. 1233 (252903). Williamsburg, Va., May 5, 1862. Fair Oaks, Va., May 30-31, 1862. Big Shanty, Ga., June 14-15, 1864. Assisted in driving rebel skirmishers to their main line. Participated in action though excused

from duty because of disability. In charge with company first man on enemy's works.

This man applies through an attorney for medal, inclosing affidavit of himself dated December 1, 1890, also affidavit October 16, 1890.

September 22, 1890, complete testimony and evidence of identity required.

Letter January 12, 1891, Capt. DeLacey specially commendatory service Williamsburg.

Affidavits Second Lieut. S. M. Lutz, Corporal J. H. White, and Peter Briscoe, dated October 25, 1890.

Military record Civil War, taken from pension claim record.

January 21, 1891, affidavit of applicant.

February 6, 1891, Schofield recommends medal be granted.

Assistant secretary, having personally reviewed case directs issue.

One medal issued February 13, 1891.

1233. Fallon, Thomas T., Company K, Thirty-seventh New York Volunteers.

Case No. 976 (1713-72). Platte River, Nebr., April 26, 1872. Gallantry in action.

April 28, 1872, letter Col. J. J. Reynolds, Third Cavalry, specifically recommends this man for medal for gallant conduct in affair with hostile Sioux.

April 27, 1872, report of Capt. Meinhold, Third Cavalry.

May 4, 1872, approved by Gen. Sheridan.

May 22, 1872, Secretary of War awards medals as recommended.

Employed as guide by quartermaster, 1872 and 1873.

One medal issued May 22, 1872.

976. Cody, William F., guide.

Case No. 997 (7694-94). Apache campaign; summer of 1896. Voluntarily carried dispatches through region hostile Indians, making journey 70 miles in one night, walking 30 miles next day. Commanded detachment Infantry, then without an officer, in pursuit of Geronimo's band; assigned command on own request.

May 13, 1894, letter Col. Lawton to Gen. Miles with reference to question of brevets for Indian service.

July 22, 1894, detailed statement Lieut. Col. Lawton to Assistant Adjutant General.

June 7, 1894, Acting Adjutant Gen. Gilmore, letter to Lieut. Col. Lawton asks particulars as to date of action of gallantry specified.

October 6, 1894, letter Col. Lawton to Assistant Adjutant General.

February 5, 1895, indorsement Gen. Miles: "The inclosed letter from Col. Lawton was duly received, but at the time there were objections to granting brevets to some officers that I had recommended, and I delayed sending these papers forward, hoping that I should be able to go to Washington and personally lay the matter before the authorities. I now most earnestly renew the recommendation, calling especial attention to the letter of Col. Lawton which describes one of the most laborious, persistent, and heroic campaigns in which men were ever engaged, and the fact that Capt. Leonard Wood, assistant surgeon, volunteered to perform the extraordinary, hazardous, and dangerous service is creditable to him in the highest degree. For his gallantry on the 13th of July in the surprise and capture of Geronimo's camp I recommend that he be breveted for services on that date."

April 1, 1898, brief of Adjutant General's Office.

Memorandum for Secretary of War made by Adjutant General in connection with award of medal to Maj. John O. Skinner.

Copies correspondence between Gen. Miles and Assistant Adjutant General and Col. Lawton.

Adjutant General's brief of case dated 1890: Entered into duties contract surgeon from June 17, 1885; contract annulled August 10, 1886, to enable him to accept appointment as assistant surgeon, United States Army; nominated as assistant surgeon, United States Army, January 5, 1886, confirmed as such July 26, 1886; commissioned as assistant surgeon, July 30, 1886, to rank as such from January 5, 1886, date of nomination; appointment actually accepted August 11, 1886; under long established decision of department, August 11, 1886, is date on which his status as commissioned officer of Army began.

May 10, 1916, opinion Judge Advocate General in regard to contract surgeons; interpretation of the words "action" and "war," May 27, 1916.

Recommended for brevet "summer 1886" by N. A. Miles May 26, 1890.

September 30, 1890, notation "Gen. S. will be glad to recommend brevet in this case, if he was in a fight so as to come within the law."

Extract Secretary of War's report, vol. 1, pages 178-180.

Extract report Capt. Lawton, Fourth Cavalry, also report applicant dated 1886.

Chronological list Indian engagements connected with recommendations for brevets.

June 22, 1894, report Lieut. Col. Lawton.

March 20, 1894, Secretary Alger presents medal. (Indorsement.)

One medal issued April 8, 1898.

997. Wood, Leonard, Assistant Surgeon, United States Army.

Case No. 1447 (483859). Gettysburg, Pa., July 3, 1863. Without orders led charge of his squadron upon flank of enemy, checked attack, cut off and dispersed rear of column.

June 7, 1897, Gen. D. McM. Gregg asks medal for this man and Congressman Maish forwards same, together with affidavit Corpl. Speese, Third Pennsylvania Cavalry, sworn to June 22, 1897.

June 15, 1897, affidavit Capt. D. M. Gilmore.

June 5, 1897, affidavit Sergt. G. W. Heagy.

June 15, 1897, affidavit W. H. Ricker, first sergeant.

May 31, 1897, statement W. B. Ralle, captain, Third Pennsylvania Cavalry.

June 25, 1897, affidavit Pvt. S. A. Foreman, Third Pennsylvania.

Commendatory extracts in the history of Gettysburg Battlefield Memorial Association.

Proceedings at dedication of monumental shaft to Cavalry.

July 16, 1897, Secretary Alger presents medal.

One medal issued July 21, 1897.

1447. Miller, William E., Third Pennsylvania Cavalry.

Case No. 1448 (504671). Chickamauga, Ga., September 19, 1863. Missionary Ridge, Tenn., November 25, 1863. While in arrest, left place in rear, voluntarily went to line of battle, fought gallantly during two days' battle; released from arrest, recognition bravery. First to enter enemy's works, severely wounded, losing arm, declined discharge, remained active service until end of war.

Capt. J. J. Noah, Second Minnesota Infantry, asks medal, inclosing affidavit.

April 1, 1896, Col. J. W. Bishop, Second Minnesota Volunteers.

April 15, 1896, Sergt. S. P. Norton.

March 3, 1880, military record Adjutant General's Office.

September 28, 1863, Gen. Thomas's indorsement on Gen. Bramian's request for release of this man from arrest.

December 10, 1863, Lieut. Col. J. W. Bishop reports name of this man for gallant and meritorious conduct.

June 16, 1896, facts do not present proper case for award.

January 11, 1898, Gen. H. V. Boynton asks reconsideration.

March 22, 1898, affidavit of this man.

May 7, 1897, affidavit Sergt. S. P. Norton.

November 12, 1897, affidavit Sergt. A. S. Nobles.

March 10, letter Capt. J. J. Noah concurred in and signed by 13 Senators and Congressmen.

March 22, 1898, Secretary Alger presents medal.

One medal issued April 2, 1898.

1448. Reed, Axel H., Company K Second Minnesota Volunteers.

Case No. 1505 (494881). Missionary Ridge, Tenn., November 25, 1863. To encourage his men whom he had ordered to lie down while under severe fire, and who were partially protected by slight earthworks, himself refused to lie down, but walked along the top of the works until he fell, severely wounded.

July 1, 1898, Lieut. Col. R. M. Johnson, One hundredth Indiana Infantry Volunteers asks medal; describes service.

July 31, 1897, letter of Lieut. C. List.

October 3, 1897, letter of Col. J. M. Loomis.

Letters and extracts commendatory and contemporaneous, two reports of Col. A. Heath, one of Col. J. M. Loomis.

July 7, 1898, additional evidence submitted—letters of Col. R. M. Johnson, One hundredth Indiana Infantry Volunteers, Capt. J. Ballinger, and letter of 1505, dated June 14, 1898, and sworn to.

Affidavit of Col. R. M. Johnson, July 7, 1898.

Affidavit of Pvt. D. N. Pugh, One hundredth Indiana Infantry Volunteers.

Affidavit of Pvt. B. F. Smith, One hundredth Indiana Infantry Volunteers.

October 14, 1897, Maj. G. W. Davis, brief.

Affidavit, April 22, 1899, of Col. R. M. Johnson is submitted by Senator Fairbanks.

May 2, 1899, Assistant Secretary Meiklejohn awards medal for most distinguished gallantry in action.

One medal issued May 16, 1899.

1505. Brouse, Charles W., captain Company K., One hundredth Indiana Infantry.

Case No. 1437 (383346). Shelbyville, Tenn., June 27, 1863. Led one of the most desperate and successful charges of the war.

February 2, 1894, Gen. Stanley requests medal for this man and describes service.

Extracts of battle reports of Col. R. H. G. Minty, July 8, 1863; also Gen. Stanley's report of July 8, 1863; extract of Lieut. Col. Sipes, July 11, 1863. Specific mention in all these reports of 1437.

April 7, 1894, application denied. Conduct gallant, but only obeying orders.

April 12, 1894, Congressman Woomer forwards request of J. D. Patterson. Request of Mr. Patterson concurred in by Hon. T. J. Stewart, secretary of internal affairs of Pennsylvania.

June 8, 1894, this case has been reconsidered upon new matter, and medal was issued for distinguished and extraordinary bravery.

One medal issued June 14, 1894.

1437. Davis, Charles C., major, Seventh Pennsylvania Cavalry.

Case No. 1739 (175163). Peebles Farm, Va., October 1, 1864. At risk of own life, while regiment falling back before superior enemy force, dragged wounded and helpless officer to rear, saving him from death or capture.

November 30, 1897, affidavit E. C. Sinclair, first sergeant, Tenth Infantry, asking medal for this man.

December 10, 1897, affidavit John Mahoney.

November 29, 1897, affidavit Emanuel Wodic.

Report dated October 3, 1864, Maj. James Grindlay, One hundred and forty-sixth, New York; commendatory mention.

December 8, 1897, affidavit W. C. Stuart, corporal.

Report made by applicant showing part taken by regiment at the engagement, dated October 11, 1864.

December 12, 1898, Meiklejohn awards for most distinguished gallantry.

One medal issued December 12, 1898.

1739. Schwan, Theodore, Tenth United States Infantry.

Case No. 1241 (329391). Fredericksburg, Va., December 13, 1862; Chancellorsville, Va., May 3, 1863. Seized the colors and led command through terrible fire of cannon and musketry. In a hand to hand fight recaptured the colors of his regiment.

May 23, 1892, this man applies for medal; incloses commendatory and contemporaneous letters and extracts of reports: July 29, 1862, Gen. H. W. Slocum; July 31, 1862, J. J. Bartlett; Gen. Humphrey's official report; extract from history of Gen. Palfrey; extract Gen. Tyler's report May 11, 1863; May 12, 1863, A. G. Humphreys, D. N. Couch; letter Gordon.

Petition signed by 25 Congressmen, districts of Pennsylvania.

May 17, 1892, Schofield recommends medal for distinguished conduct.

Acting Secretary of War, having personally considered case, directs issue May 28, 1892.

One medal issued June 7, 1892.

1241. Frick, Jacob G., Ninety-sixth Pennsylvania Volunteers and One hundred and twenty-ninth.

Case No. 1465 (326744). Port Hudson, La., about May 20, 1863. Volunteered to go within the enemy's lines, and at the head of a party of eight destroyed a signal station, thereby greatly aiding in the operations against Port Hudson that immediately followed.

June 22, 1891, this man, in affidavit, describes incident and asks for medal.

April 4, 1892, joint affidavit of S. Haines and B. Varion.

April 16, 1892, affidavit of Sergt. Peter Ruhl.

June 22, 1892, Gen. Schofield says evidence not sufficient to justify action. Concurred in by Assistant Secretary on same date.

December 7, 1892, additional affidavit of 1465.

June 30, 1894, additional affidavit of 1465. Indorsement on his discharge by his colonel—copy sworn to.

July 13, 1897, Secretary Alger presents medal.

One medal issued July 20, 1897.

1465. Beauford, Jean J., corporal, Company A, Second Louisiana Infantry.

Case No. 1174 (376878). Fredericksburg, Va., December 13, 1862. Seized the two colors from the hands of a corporal and a lieutenant as they fell mortally wounded, and with a color in each hand advanced across the field to a point where the regiment was re-formed on those colors.

November 14, 1893, Capt. O. W. Bennett, One hundred and second United States Colored Troops, requests medal for No. 1174.

November 16, 1893, additional evidence required by affidavits of eye-witnesses.

December 5, 1893, letter of No. 1174.

July 9, 1862, letter of Lieut. Col. A. F. Devereux, commanding Nineteenth Massachusetts Infantry.

January 28, 1863, another letter of above.

December 18, 1893, Assistant Secretary denies application.

November 30, 1896, no new facts presented. This brave officer seems to have been rewarded at the time by promotion.

December 3, 1896, letter of Gen. A. F. Devereux describing service.

December 10, 1896, Assistant Secretary Doe, in consideration of foregoing letter and reconsideration of whole case, presents medal for most distinguished gallantry.

One medal issued, December 16, 1896.

1174. Adams, John G. B., second lieutenant, Company I. Nineteenth Massachusetts Infantry.

Case No. 1164 (375597). Vicksburg, Miss., May 22, 1863. Seized the colors when the color bearer was killed, and bore them himself in the assault.

October 23, 1893, T. C. Fletcher submits report No. 4 of Committee on Military Affairs of the Senate, showing service of this man.

May 26, 1882, act of Congress No. 108, reinstating this man approved.

Report No. 4 of Senate (47th Cong., 1st sess.) gives extracts of commendatory letters and reports of Gen. Howard, F. P. Blair, Gen. Sherman, Gen. Grant, W. W. Belknap, and J. M. Oliver.

Copy of general court-martial order dated October 31, 1868, in which No. 1164 was cashiered.

Letter January 22, 1894, of T. C. Fletcher.

December 8, 1893, L. A. Grant awards medal for conspicuous gallantry at Chattanooga, Tenn.

January 22, 1894, Assistant Secretary Doe, in view of a question being raised as to fact of this man's conspicuous gallantry at Chattanooga, amendment is made for conspicuous gallantry at Vicksburg, May 22, 1863, and new medal prepared.

Telegram of protest from D. C. Coleman, December 22, 1893, and statement of Capt. Hugh Neill of the Eighth Missouri Volunteer Infantry.

One medal issued January 31, 1894.

1164. Kirby, Dennis T., major, Eighth Missouri Infantry.

Case No. 1449 (390586). Gettysburg, Pa., July 1, 1863. Voluntarily led the regiment, under a withering fire, to a position from which the enemy was repulsed.

June 5, 1894, Congressman William McAleer requests medal for this man. Forwards letters of Capt. G. M. Watson, Capt. W. H. Warner, and Sergt. John Shiel.

This man has commendatory mention in report of Capt. Peter Lyle, Ninetieth Pennsylvania.

June 22, 1894, more detailed information required.

June 20, 1894, letters of the Survivors' Association, Ninetieth Pennsylvania; additional letters from Capts. Watson and Warner, also letter of Capt. J. S. Davis.

July 13, 1894, Assistant Secretary Doe presents medal for distinguished gallantry.

Language of award was modified on request of this man to read as stated above.

One medal issued July 21, 1894.

1449. Sellers, Alfred J., major, Ninetieth Pennsylvania Infantry.

Case No. 1477 (494066). Mechanicsburg, Miss., June 4, 1863. Exchanging drum for rifle, voluntarily joined skirmish line under fire, advancing with it, received severe wound, which resulted in permanent disability.

September 13, 1897, this man asks for medal; describes service; statement of Capt. Christianity, same date; indorsed by First Sergt. S. F. De Voin, Eighth Ohio.

Letter Capt. J. B. Redfield, Eighth Wisconsin, November 13, 1897.

Affidavit of George W. Robbins, colonel, Eighth Wisconsin, February 22, 1897.

Letter June 2, 1897, F. W. Stein.

October 15, 1897, additional testimony called for.

Affidavits October and November, 1897, C. F. Mansure; Capt. J. B. Redfield.

December 7, 1897, Alger presents medal.

One medal issued December 17, 1897.

1477. Hilliker, Benjamin F., musician, Company A, Eighth Wisconsin.

Case No. 1451 (380286). Fort Huger, Va., April 19, 1863. Gallantly led party that assaulted and captured fort.

January 12, 1894, Gen. George W. Getty recommends medal for this man; describes service.

January 5, 1894, Vermont Veterans Association petitions for medal.

Gen. Thomas W. Hyde, January 8, 1894, joins in recommendations for medal: "His gallantry specially well known to me and he is entirely well deserving of the honor."

Extract contemporaneous reports commendatory: Gen. Getty, Gen. Jno. Peck.

May 25, 1894, Assistant Secretary Doe directs issue for most distinguished gallantry.

One medal issued June 13, 1894.

1451. Stevens, Hazard, United States Veterans.

Case No. 1263 (516096). Boutte Station, La., September 4, 1862. Train sidetracked by misplaced switch, ambuscaded by guerrillas who were rapidly shooting down guards, ran, opened switch, thus enabling surviving guards to escape.

March 15, 1898, William L. Kinsley, Commander Hazen Post, recommends medal for this man; indorsed by Governor E. C. Smith, Vermont, concurring in recommendation; Congressman Grout indorses same to Secretary of War April 8, 1898.

Statement Regimental Quartermaster F. E. Smith, August 29, 1899.

Memorial Col. Sawyer, First Vermont Cavalry, signed by five officers, comrades Vermont troops.

Affidavit Col. Stephen Thomas, November 18, 1898.

Letters Hill and Barstow, adjutant.

Extract Carpenter's History Eight Veteran Volunteers, Vermont.

Extract report Col. S. Thomas, September 6, 1862, of engagement.

September 21, 1899. Assistant Secretary Melklejohn awards for most distinguished gallantry in action.

One medal issued October 20, 1899.

1263. Ingalls, Lewis J., Company K, Eighth Vermont Volunteers.

Case No. 1052 (442069). Lexington, Mo., September 20, 1861. Volunteered to fight in trenches; also led charge which resulted in recapture of Union hospital, together with Confederate sharpshooters then occupying same.

October 30, 1895, this man asks for medal.

Signed statement (no date) by J. V. Tinkham and 12 other comrades.

September 25, 1895, Maj. L. Wolfley letter.

November 17, 1864, letter Adjt. W. S. Marshall, First Illinois Cavalry.

November 13, 1894, letter William Mills.

Certificate December 15, 1894, R. H. Bartlett, First Illinois Cavalry; J. M. Sproule and Capt. John McNulta, comrades, First Illinois Cavalry.

One thousand eight hundred and eighty-three newspaper clippings by Chaplain Parker.

November 11, 1895, department rules require application by some other person.

February 21, 1896, Senator Pfeffer asks for medal.

March 4, 1896, Assistant Secretary Doe presents medal for most distinguished gallantry.

One medal issued March 10, 1896.

1052. Palmer, George H., musician, First Illinois Cavalry.

Case No. 1735 (643457). Resaca, Ga., May 14, 1864. At great personal risk went to aid wounded soldier under heavy fire between lines; with aid of orderly carried him to place of safety.

February 7, 1901, Congressman S. W. Smith asks medal for this man, inclosing five letters, etc.: William F. Green, surgeon, First Tennessee Cavalry (not eyewitness); January 31, 1901; biographical sketch of this man by George Duffield (not eyewitness); Charles W. Baker, January 14, 1900.

Certificate John W. Eddy, sworn to September 18, 1900, eyewitness.

Military biography signed by applicant.

April 10, 1901, Assistant Secretary Sanger awards for most distinguished gallantry in action.

One medal issued April 21, 1901.

1735. Ranney, George E., Second Michigan Cavalry.

Case No. 1328 (357069). Gaines Mills, Va., June 27, 1862. While voluntarily serving as aid-de-camp successfully and advantageously changed position of troops under fire.

January 30, 1893, Gen. Daniel Butterfield asks medal for this man; describes service.

Letter Lieut. Col. Ed. Hill, Sixteenth Michigan Infantry, February 8, 1893.

Commendatory letters, May, 1863, Gen. A. F. Howe and Gen. Dan Butterfield.

Extracts contemporaneous reports: Gen. Butterfield; Col. J. C. Rice, Forty-fourth New York Veterans; H. S. Campbell; Gen. W. F. Smith; and Col. W. H. Irwin.

August 22, 1893, Grant directs issue for distinguished gallantry.

One medal issued August 23, 1893.

1328. Von Vegesack, Ernest, Twentieth New York Infantry.

Case No. 1335 (437446). Antietam, Md., September 17, 1862. Voluntarily advanced under destructive fire, removed fence which would have impeded contemplated charge.

December 24, 1895, this man asks for medal.

December 26, 1895, Lieut. Col. J. H. Barnes; January 1, 1896, Capt. S. N. Doten, Twenty-ninth Massachusetts Volunteers; January 2, 1896, Lieut. P. Winsor; December 20, 1895, Sergt. J. Shannon; December 28, 1895, O. W. Plinney; December 26, 1895, Capts. S. W. Pety and J. F. Hall.

January 23, 1896, Assistant Secretary Doe presents medal for most distinguished gallantry.

One medal issued January 29, 1896.

1335. Wright, Samuel C., Company E, Twenty-ninth Massachusetts Volunteer Infantry.

Case No. 1329 (475606). Rappahannock Station, Va., August 23, 1862. Imminent risk life procured water for suffering comrades, exposed to constant fire.

April 8, 1897, Col. A. J. Sellers, Ninetieth Pennsylvania, asks medal for this man, inclosing affidavits of four comrades: April 5, 1897, Lieut. E. J. Gorges; April 7, 1897, W. B. Strang; April 14, W. Henderson, W. A. Turner; April 3, 1897, T. Johnson, all of Ninetieth Pennsylvania Volunteers.

August 10, 1897, soldier brave, but adverse decision.

September 21, 1897, Col. Sellers again applies.

September 21, 1897, two affidavits: F. P. Donohoe and Charles Bryer, eyewitnesses.

September 30, 1897, synopsis brief, Gen. G. W. Davis.

September 30, 1897, Alger denies; not an action under law and regulations.

January 27, 1900, Col. A. J. Sellers again appeals; also Ninetieth Pennsylvania Veterans' Association, same date.

April 21, 1900, Assistant Secretary Meiklejohn awards medal.

One medal issued May 5, 1900.

1329. White, J. Henry, Company A, Ninetieth Pennsylvania Volunteers.

Case No. 1711 (401888). Eastport, Miss. October 10, 1864. Saved the life of an officer.

December 1, 1894, this man, by affidavit, requests medal; describes service. November 30, 1894, Col. G. B. Hoge, affidavit.

July 28, 1894, Pvt. L. Peddycoart, affidavit.

October 29, 1894, Capt. G. W. Beckett, affidavit.

November 6, 1894, Pvt. S. H. Edwards, affidavit.

December 11, 1894, denied; must be made by person other than applicant.

January 12, 1895, Col. G. B. Hoge asks medal.

January 31, 1895, Assistant Secretary Doe presents medal for distinguished gallantry.

One medal issued February 5, 1895.

1711. Darrough, John S., Company F, One hundred and thirteenth Illinois Volunteers.

Case No. 1710 (401368). Greenbrier River, W. Va., May 22, 1864. Saved, under fire, life of a drowning soldier.

November 22, 1894, A. S. Capehart asks medal for this man.

April 18, 1865, letter Gen. G. A. Custer recommendation for promotion.

Gov. A. I. Boreman, of West Virginia, June 10, 1865, letter.

Commendatory extracts contemporaneous reports: Gen. W. H. Powell, Gen. Sheridan.

December 12, 1894, returned for more detailed evidence of eyewitnesses.

January 4, 1895, joint affidavit Capt. H. P. Boone, First West Virginia Cavalry; Sergt. W. Seaburn, same.

Report September 20, 1863, Col. H. E. Davies, jr., commanding First Brigade, Third Division, Cavalry Corps.

February 6, 1895, Assistant Secretary Doe presents medal for most distinguished gallantry in action.

One medal issued February 12, 1895.

1710. Capehart, Henry, First West Virginia Cavalry.

Case No. 1717 (385014). Near Cedar Creek, Va., November —, 1864. While command falling back returned face enemy, rescued sergeant from under fallen horse.

March 12, 1894, Col. G. S. Nichols, Ninth New York Cavalry, asks medal for this man; describes incident.

March, 1894, Lieut. W. J. Markham, Capt. W. F. Rutherford, both Ninth New York Cavalry.

Commendatory extracts contemporaneous reports of Gen. A. T. A. Torbert and Capt. R. L. Wright.

April 13, 1894, evidence eyewitnesses required.

Statement, March 24, 1894, of applicant.

Affidavit, April 25, 1894, Lieut. W. J. Markham.

May 3, 1894, Col. Nichols certifies to statement of applicant.

April 5, 1894, affidavit Capt. E. P. Putnam.

May 4, 1894, Assistant Secretary Doe awards medal.

One medal issued May 14, 1894.

1717. Goodrich, Edwin, Ninth New York Cavalry.

Case No. 1508 (366629). Gettysburg, Pa., July 2, 1863. Daring heroism and great tenacity, holding position on Little Round Top against repeated assaults, and carrying advance position on Great Round Top.

February 15, 1893, T. H. Hubbard asks medal for this man.

November 2, 1893, Maj. Gen. A. S. Webb requests medal for this man, and describes service.

April 13, 1895, Gen. C. Griffin letter recommendation for promotion.

Fitzjohn Porter, May 19, 1893, recommends this man for medal.

June 7, 1893, letter Henry B. Cleaves, governor Maine, recommends medal; incloses letters Brig. Gen. J. C. Rice, September, 1863; Charles Griffin, April 13, 1865; James Barnes, September 10, 1863; and A. Ames, July 3, 1863; all commendatory.

August 11, 1893, Assistant Secretary directs award.

One medal issued August 11, 1893.

1508. Chamberlain, Joshua L., Twentieth Maine Volunteers.

Case No. 1435 (392920). Brooks Ford, Va., May 4, 1863. Having voluntarily taken command of regiment in absence of its commander, great personal risk and remarkable presence of mind, led command down precipitous embankment to Rappahannock River; by gallantry, coolness, and good judgment in face of enemy saved command from capture or destruction.

July 9, 1894, F. A. Clerk, adjutant Sixth Maine, requests medal for this man; extract report dated November 9, 1863, of Lieut. Col. B. F. Harris; May 12, 1863, report Col. H. Burnham, Sixth Maine, commendatory.

Report Maj. George Fuller; indorsement Gen. W. S. Hancock. May 23, 1866, on brevet letter.

Affidavit E. T. Crockett, April 24, 1896.

April 30, 1896, letter Senator William F. Vilas.

April 14, 1896, letter of applicant quoting details of service.

May 4, 1896, Assistant Secretary Doe awards.

One medal issued May 13, 1896.

1435. Clark, Charles A., Sixth Maine Volunteers.

Case No. 1520 (575735). Missionary Ridge, Tenn., November 25, 1863. Sprang over works just captured, calling upon comrades to follow, rushed forward, faced deadly fire, among first over works, compelled surrender Confederate officer and received his sword.

December 16, 1899, Congressman Hopkins asks medal for this man.

Ten officers, Thirty-sixth Illinois Volunteer Infantry, sign petition.

Maj. G. D. Sherman, Thirty-sixth Illinois Volunteer Infantry, January 4, 1900, recommends medal.

Capt. M. B. Baldwin, October 26, 1899.

Letter, A. G. Baker to Gen. Schofield; letter, Gen. O. O. Howard, November 8, 1899.

Letter, Lieut. Col. G. C. Kniffin, December 14, 1899.

Letter, October 27, 1899, Lieut. William Hall, describing service.

Indorsement, Schofield, November 9, 1899, quoted in Adjutant General's Office brief.

Medal awarded to Gen. O. O. Howard and one to Schofield for gallantry at Wilsons Creek, Mo.

March 27, 1900, Assistant Secretary Melklejohn awards medal.

One medal issued April 4, 1900.

1520. Kelley, Leverett M., Company A, Thirty-sixth Illinois Volunteer Infantry.

Case No. 1547 (379807). Salem Heights, Va., May 4, 1863. Rendered great assistance in heat of action, securing part of field battery from extremely dangerous and exposed position.

October 11, 1893, Gen. O'Beirne asks medal for this man.

December 15, 1893, letter, E. Martindale.

January 24, 1894, letter, O'Beirne.

January 26, 1894, returned for additional evidence by Secretary Doe.

Mentioned in official report; congratulatory order Col. L. A. Grant, May 9, 1863.

Affidavit, February 12, 1894, Capt. P. F. Rodgers, Twenty-sixth New Jersey Volunteers.

Certificate, December 14, 1893, Lieut. Col. Martindale; copy of report, Martindale, dated May 6, 1863, describing incident.

February 17, 1894, Secretary of War having personally considered case, directs award for distinguished gallantry.

One medal issued March 28, 1894.

1547. Cummings, Amos J., Twenty-sixth New Jersey Volunteers.

Case No. 1326 (35763). White Oak Swamp Bridge, Va., June 30, 1862. One of party of three, under heavy fire advancing enemy, saved from capture field gun belonging to another battery; deserted by officers and men.

April 13, 1896. This man asks for medal; indorsement D. H. Kenzie, Fifth Artillery. May 4, 1896; takes pleasure in commending this man for medal; he is entitled thereto.

Col. John Hamilton; May 13, 1896; has heard of statement of incident; says applicant thoroughly trustworthy, truthful, and brave man.

May 18, 1896. Maj. T. H. Brewerton recommends; states that the old descriptive book has full record.

Copy of record of applicant with full details.

Referred to Medal of Honor Board of which Gen. Davis was secretary.

June 16, 1896: Assistant Secretary Doe says this application should have been made by some other person.

Letter Maj. D. H. Kenzie November 18, 1897, recommending; describes service.

November 26, 1897, affidavit of applicant.

Alger presents medal March 22, 1898.

One medal issued April 4, 1898.

1326. Uhri, George, United States Army.

Case No. 1438 (496444). Aldie, Va., June 17, 1863. In arrest, when seeing his regiment fall back rallied men; accompanied them without arms in second charge; recognition of gallantry released from arrest; continued in action until desperately wounded and taken prisoner.

October 19, 1897. A. C. Hamlin asks medal for this man; describes incident. Additional testimony required in letter to Hamlin, historian 11th A. C.

Letter Gen. L. G. Ester.

Affidavit Capt. Thos. Morley, Twelfth Pennsylvania Cavalry, July 29, 1896.

October 19, 1897, letter A. C. Hamlin inclosing additional evidence on which medal was awarded.

December 3, 1897, Secretary Alger presents medal.

One medal issued December 17, 1897.

1438. Di Cesnola, Louis P., Fourth New York Cavalry.

Case No. 1725 (508030). Drewrys Bluff, Va., May 16, 1864. Rescued wounded officer; carried him to field hospital under heavy fire from both sides.

Congressman Cummings submits this man's application for medal dated January 17, 1898; sworn to February 11, 1898.

March 19, 1889, affidavit Lieut. Col. E. C. Floyd, Third New York Infantry.

April 19, 1897, affidavit Patrick Lahan, Fortieth Massachusetts Volunteers; affidavit March 10, 1898 Sergt. D. O. Seaver; letter of applicant to Hon. A. J. Cummings January 18, 1898.

March 22, 1898, Alger presents medal.

One medal issued April 4, 1898.

1725. Lord, William, Company C, Fortieth Massachusetts Volunteers.

Case No. 1720 (537659). Near the Richmond and Petersburg Railway, Virginia, June 6, 1864. Voluntarily returned to abandoned breastworks to notify three missing companies that regiment was falling back; found works occupied by enemy, refused to surrender, returned to regiment under galling fire; clothing shot through.

January 21, 1899, Senator Mantle submits request for medal with extracts R. R.; affidavits January, 1899, of comrades: Col. G. S. Innis, Adj. A. N. Bull, and affidavit of 1720; T. C. Davidson and H. B. Westervelt, all of One Hundred and Thirty-third Ohio Volunteers; letter from D. J. Tallant, chairman Republican committee of Montana.

Denied August 24, 1898.

Further application of this man supported by Gen. R. S. Foster's letter, April 2, 1899, indorses.

Affidavits of Innis Bull, Westervelt, and others.

April 14, 1899, medal awarded for gallantry in action.

One medal issued May 13, 1899.

1720. Gregg, Joseph O., Company F, One Hundred and Thirty-third Ohio Infantry.

Case No. 1650 (513071). Petersburg, Va., July 30, 1864. Fort Harrison, Va., September 29, 1864. Voluntarily went between lines, under heavy fire, to assistance wounded comrade (officer), whom he carried within Union lines. Seized regimental color, color bearer and guard having been shot, rushing forward planted it on fort in full view entire brigade.

March 7, 1898, Sergt. J. E. Martin, One Hundred and Thirty-ninth New York Volunteers, asks medal for this man and describing service; sworn to March 8, 1898; incloses affidavits of seven comrades One Hundred and Thirty-ninth New York Volunteers, dated March, 1898; Doran, Quinn, Van Horn, Call, Dwyer, Hartough, and Rutzler.

March 28, 1898, Secretary Alger presents medal.

One medal issued April 5, 1898.

1670. Jamieson, Walter, Company B, One Hundred and Thirty-ninth New York Volunteer Infantry.

Case No. 1519 (329905). Gettysburg, Pa., July 1, 1863. Gallantry in flanking enemy, capturing prisoners; holding town against heavy odds while army was rallying on Cemetery Hill.

May 11, 1892, Senator Proctor submits request for medal for this man; letter Gen. O. O. Howard, May 9, 1892, specifically recommends medal.

Letter William H. Tait, May 9, 1892, indorsed by Gen. Sigel, May 9, 1892.

Military record of this man.

Affidavits: L. Lindmeyer, Lieut. Col. Doetke, Lieut. Ahlert, Capt. Henry Dietz, Capt. Dros, Forty-fifth New York.

May 20, 1892, Gen. Schofield recommends medal, and May 20, 1892, Assistant Secretary awards.

One medal issued May 27, 1892.

1519. Irsch, Francis, Companies D, J, A, and F, Forty-fifth New York Infantry.

Case No. 1561 (469514). Gettysburg, Pa., July 1, 1863. At great risk of life, went to assistance of wounded comrade, and while under fire removed him to a place of safety.

October 14, 1896, in affidavit this man describes incident and applies for medal.

Affidavits: Capt. G. N. Reichard, October 14, 1896; R. W. Marcy; C. W. Shotton.

Regimental commander's report July 4, 1863, Capt. Reichard, wounded in shoulder and taken prisoner (p. 338, vol. 27, series 1, pt. 1).

October 26, 1896, Assistant Secretary Doe awards medal.

One medal issued October 30, 1896.

1561. Butter, James M., Company C, One hundred and forty-third Pennsylvania Volunteer Infantry.

Case No. 1538 (533973). Irish Bend, La., April 14, 1863. Displayed great gallantry under heavy fire from enemy, calling in skirmishers and assisting in forming line of battle.

Senator Hall transmits letter of this man, December 5, 1898; asks for medal.

Letter Col. G. P. Bissell, Twenty-fifth Connecticut, dated February 10, 1888.

Affidavit September 24, 1898, Albrow Weir.

April 25, 1887, statement Col. Bissell.

February 20, 1899, Acting Secretary Melklejohn awards for most distinguished gallantry.

One medal issued February 25, 1899.

1538. Simonds, William Edgar, Company I, Twenty-fifth Connecticut Infantry.

Case No. 1750 (500138). Cold Harbor, Va., June 3, 1864. Voluntarily exposed himself to fire of enemy's sharpshooters, located body of colonel; with four companions, having approached within few feet of enemy, recovered body and brought it within Union lines.

December 24, 1894, Congressman Aitken submits letter dated December 15, 1894, of this man requesting medal.

Further evidence, eyewitnesses required.

Letter applicant February 11, 1895.

Letter applicant submitted by Congressman Smith.

Affidavit of applicant January 28, 1898.

February 1, 1898, affidavit William Wood indorsing above affidavit.

February 10, 1898, J. J. Sherman and February 17, 1898, G. R. Cochran, both of Eighth New York Heavy Artillery, affidavits.

March 22, 1898, Secretary Alger presents medal.

One medal issued April 1, 1898.

1750. Williams, LeRoy, Eighth New York Heavy Artillery.

Case No. 1332 (933409). Gaines Mills, Va., June 27, 1862. While on duty with wagon train as quartermaster sergeant, voluntarily left place of safety in rear, joined a company and fought with distinguished gallantry through action.

April 27, 1897, Congressman Russell submits papers in support of applicant's request for medal.

Affidavit, April 12, 1897, Capt. W. R. Smedberg, Fourteenth United States Infantry, specifically mentions and recommends medal.

Affidavit, April 23, 1897, Lieut. D. Loosley, Fourteenth Infantry.

April 26, 1897, Congressman Brandegee letter character recommendation.

July 31, 1897, Secretary Alger presents medal.

One medal issued August 28, 1897.

1332. Williams, George C., First Battalion, Fourteenth Infantry.

Case No. 1059 (13231-93). Wilsons Creek, Mo., August 10, 1861. Distinguished gallantry.

April 10, 1893, this man asks for medal.

May 30, 1893, certificate Gen. Stanley.

August 10, 1861, Gen. J. C. Fremont and Maj. S. D. Sturgis, First Cavalry, specifically mention this man for gallantry.

April 12 and 30, 1893, two letters Col. C. C. Gilbert to this man.

June 27, 1893, Schofield declines to take action.

September 19, 1893, letter Assistant Secretary Grant to applicant—additional evidence required, as papers show no case for award.

Brief Adjutant General's Office October 23, 1893, submitted.

October 23, 1893, Assistant Secretary Grant issues medal for distinguished gallantry.

One medal issued October 28, 1893.

1059. Wood, H. Clay, First United States Infantry.

Case No. 1554 (498444). Salem Heights, Va., May 3, 1863. Went 250 yards in front of regiment, under fire, and brought within lines comrade wounded and unconscious.

Affidavit dated November 10, 1897, in which this man describes service.

Affidavits Dennis Haugh, Thomas Barnes, M. H. Ogden, November 17, 1897, all comrades Ninety-Eighth Pennsylvania Infantry.

Affidavit Lieut. John Barth, March 23, 1898.

March 22, 1898, Secretary Alger presents medal.

One medal issued April 1, 1898.

1554. McAdams, Peter, Company A, Ninety-Eighth Pennsylvania Infantry.

Case No. 1517 (314871). Petersburg, Va., July 30, 1864. Capture of flag; shooting Confederate officer who was rallying men with colors in his hand.

Senator Allison, January 27, 1892, asks if this man is entitled to medal; informed that evidence to support claim is necessary.

Letter Col. S. Merrill.

February 14, 1892, letter Jones.

Letter dated February 20, 1892, W. D. Crook; indorsement, M. K. Lawler.

Application for leave; commendatory.

August 3, 1864, states this man "distinguished himself in capture of three armed Confederates alone."

March 22, 1892, Schofield defers action; Col. Merrill calls this a "ruse," which doubtless accurately describes action.

March 23, 1892, Assistant Secretary having personally reviewed case concurs in opinion of commanding general.

Telegram Senator Allison to Schofield, March 1, 1893: "I hope you will see your way clear to give this medal; anxious for."

March 8, 1893, Secretary of War directs issue.

March 15, 1893, Adjutant General to applicant forwarding medal.

One medal issued March 15, 1893.

1517. Hill, James, Twenty-first Iowa Volunteers.

Case No. 1558 (502203). Gettysburg, Pa., July 2, 1863. Reams Station, Va., August 25, 1864. Carried to place of safety wounded and helpless comrade; in this act both he and his companion, who was assisting him, were wounded severely. Commanding skirmish line voluntarily assisted in checking flank movement enemy; severely wounded, lost arm.

December 14, 1897, Capt. W. P. Seville, secretary Second Army Corps, Association, asks medal for this man.

Sworn statements: Seville, December 9, 1897; Lieut. James J. Purman, December 6, 1897; John P. Coen, November 26, 1897; Henry S. Scott, October 27, 1897; S. J. Minesinger, all of One Hundred and Fortieth Pennsylvania Infantry. March 22, 1898, Secretary Alger presents medal.

One medal issued April 5, 1898.

1558. Pipes, James M., A, One hundred and fortieth Pennsylvania Infantry.

Case No. 1056 (402913). Bull Run, Va., July 21, 1861. Led repeated charges until wounded and taken prisoner.

December 10, 1894, Congressman O'Donnell asks medal for this man.

December 14, 1894, letter Capt. W. H. Withington, First Michigan Infantry.

Commendatory extracts from contemporaneous reports of Gen. McDowell, Maj. Bidwell, and reports of 1056 of engagements.

Col. J. H. Ward, July 29, 1861, specific mention in report; also extract from Court of Claims March 8, 1886.

December 28, 1894, Assistant Secretary Doe denies—gallant and meritorious, but not specific.

February 9, 1895, letter J. O'Donnell requests review of case.

February 13, 1895, Capt. W. H. Withington letter indorsed by J. C. Burrows, both eye-witnesses, and have personal knowledge.

February 26, 1895, Assistant Secretary Doe presents medal for most distinguished gallantry.

One medal issued March 2, 1895.

1056, Willcox, Orlando B., United States Army.

Case No. 964. (407195). Hatcher's Run, Va., February 5, 1865. Discovering flank movement by enemy, apprised commanding general at great peril, and though noncombatant, voluntarily participated with troops in repelling this attack.

February 6, 1895, Congressman Mutchler submits petitions and 23 letters of recommendation for medal for this man.

Letters of Gen. J. Gwinn, January 21, 1895, and Capt. A. F. Kinney, September 1, 1894, describing incident; all comrades of Two hundred and tenth Pennsylvania Volunteers.

February 19, 1895, Assistant Secretary Doe says: "Faithful and gallant officer, but case does not justify medal.

March 21, 1896, Congressman Poole submits letter of Gen. Gwyn dated February 14, 1896, and says case is clearly within statute.

April 15, 1896, Assistant Secretary Doe presents medal for most distinguished gallantry.

One medal issued April 20, 1896.

964. Raub, Jacob F., Two hundred and tenth Pennsylvania Volunteers.

Case No. 1011 (1203437). Gettysburg, Pa., July 1, 1863. By joint resolution of Congress approved January 25, 1907, for "specially brave and meritorious conduct in the face of the enemy."

House bill 5884 gives record.

March 23, 1903, Senator Penrose submits application of this man for medal. Two affidavits, February 16, 1903, of applicant in regard to correct name.

October 9, 1899, letter, Gen. H. S. Huldekoper.

December 3, 1867, Col. Wister, One hundred and fiftieth Pennsylvania, letter.

December 11, 1867, letter, Col. Huldekoper; extract address, Col. Chamberlain, September 11, 1889.

Extract report, Col. Huldekoper, volume 27, Series I, Part I, page 346.

February 7, 1903, affidavit; detailed statement by Col. Huldekoper; concurred in by Maj. Thomas Chamberlain, One hundred and fiftieth Pennsylvania.

Adjutant General, brief, June 10, 1904, also memorandum, General Staff report June 21, 1904, in which recommendations for award of medal are denied.

June 29, 1904, Senator Penrose requests further consideration.

July 18, 1904, General Staff report recommending previous action.

May 26, 1904, letter, Senator Penrose to Secretary Taft requests consideration.

June 24, 1904, Secretary Oliver says service highly creditable but request for medal must be denied.

January 7, 1907, joint resolution gives record and the last paragraph states: "Clearly of such character as to bring it within class for award of medal."

January 24, 1907, Military Secretary Ainsworth states: "No objection to passage of this bill." Cites brief "The award of medal of honor to this man from testimony is a discrimination in his favor as against other persons who have submitted similar testimony that can not be considered under the law. No objection to approval of inclosed bill known to this office."

February 2, 1907, under provisions of joint resolution (Public No. 8) congressional medal of honor is awarded this man.

One medal issued February 27, 1907.

1011. Reisinger, J. Monroe, H. one hundred and fiftieth Pennsylvania Volunteer Infantry.

Case No. 970 (241409). Near Camden, S. C., April, 1865. Hazardous service marching through enemy country to bring relief to his command.

July 22, 1890, Capt. O. W. Bennett, One hundred and second U. S. C. T., asks medal for this man:

August 18, 1890, sworn statement of Col. H. L. Chipman; description of incident.

Affidavit Capt. W. Nelson, One hundred and second U. S. C. T., October 23, 1890.

April 28, 1891, letter Capt. O. W. Bennett.

May 7, 1891, Schofield recommends award for distinguished bravery.

May 9, 1891, acting secretary having personally considered case directs award. One medal issues May 14, 1891.

970. Barrell, Charles L., One hundred and second U. S. C. T.

Case No. 953. (8119 D EB 86). Bull Run, Va., July 21, 1861. Voluntarily served as an aide, participated in battle after expiration term, distinguished himself in rallying several regiments thrown into confusion.

June 28, 1886, this man applies for medal.

Military record contains extracts commendatory contemporaneous reports; quotes General Order 195, June 29, 1863, "It appears that this man volunteered his services at the battle of Bull Run when regiment marched to rear to be mustered out. Many officers and enlisted men received medals for no greater acts of bravery than that rendered by this man."

August 21, 1886, indorsement "C. C." returns with medal.

August 9, 1886, Secretary of War awards and directs engraving.

One medal issued August 26, 1886.

953. Hartranft, John F., Fourth Pennsylvania Volunteers.

Case No. 957 (4187 A EB 87). Bull Run, Va., July 21, 1861. Voluntarily served as aide staff Col. David Hunter, participated in battle, term service having expired previous day.

April 18, 1887, this man asks for medal.

Certificate Col. J. F. Hartranft, Fourth Pennsylvania, dated April 18, 1887: Indorsement April 21, Col. W. O. Whipple.

Records show this man was mustered into service April 20, 1861, mustered out July 26, 1861; on muster roll notation: "Detached for special duty by order Brig. Gen. McDowell July 21, 1861."

Similar application approved by Secretary of War for Col. Hartranft July 31, 1886.

May 9, 1887, Secretary of War approves and awards.

One medal issued May 19, 1887.

957. Cooke, Walter H., Company K, Fourth Pennsylvania Infantry Militia.

Case No. 956 (5349 A 88). Fredericksburg, Va., December 13, 1862: Although out of service voluntarily resumed duty on eve battle, took conspicuous part in charge on the heights.

Letter May 19, 1888, Gen. E. B. Tyler.

Affidavit May 21, 1888, S. F. Forgeus, One hundred and thirty-fourth Pennsylvania Volunteers.

May 28, 1888, Capt. J. M. Clark, One hundred and thirty-fourth Pennsylvania Volunteers; both request medal for this man.

June 18, 1888, petition Lieut. Col. W. H. Shaw and 52 others of One hundred and thirty-fourth Pennsylvania Volunteers.

Affidavit May 19, 1888, Sergt. Pearson.

Statement Lieut. J. C. Enwer.

June 23, 1888, letter "C. C." ordering engraving of medal.

One medal issued July 9, 1888.

956. Quay, Matthew S., One hundred and thirty-fourth Pennsylvania Volunteers.

Case No. 951 (2885 A. G. O. 77). Bull Run to Spotsylvania, Va., July, 1861. to May, 1864. Particularly distinguished services as an Artillery officer.

May 22, 1877, letter of Gen. H. J. Hunt describes service, requests medal, and cites his report of July 7, 1862; specific mention.

Extracts commendatory contemporaneous reports of Lieut. A. Ames, July 5, 1862; Capt. J. H. Carlisle, July 2, 1862; Lieut. Col. G. W. Getty, July 8, 1862; and Col. H. J. Hunt, July 7, 1862.

June 2, 1877, Secretary of War directs medal be conferred.

One medal issued June 11, 1877.

951. Benjamin, Samuel N., Second United States Artillery.

Case No. 1274 (495014). Antietam, Md., September 17, 1862. In advance on enemy, color bearer and entire guard of eight men shot down, seized regimental flag, carried it to extreme front, urging line forward.

October 6, 1897, this man asks medal; describes service.

November 6, 1897, Col. R. C. Hawkins, Ninth New York Infantry Volunteers, letter.

Affidavits October 21, 1897, Pvt. C. H. Hawkinson; Charles Juric, October 13, 1897; J. C. Langbein, drummer.

October 26, 1897, affidavits J. T. Miller and J. B. Horner.

November 8, 1897, B. W. Campbell and W. N. Cockefair.

November 15, 1897, submitted by R. and P. office to Secretary.

March 22, 1898, Secretary Alger presents medal.

1274. Libaire, Adolphe, Company E, Ninth New York Infantry Volunteers.

Case No. 952 (7180 A. G. O. 76, 280859), May 24, 1861. Killed the man who shot Col. Ellsworth at the Marshall House, Alexandria, Va.

July, 1874, this man applies for medal.

Appointed second lieutenant, United States Infantry, May 14, 1861, presumably for the shooting above described.

"No record showing that he shot the man who killed Ellsworth; under existing record his request should not be favorably considered. Assistant Adjutant General."

Pencil notation: "Inform him his request can not be granted."

July 13, 1874, report Adjutant General.

Letter introduction dated June 1, 1874, from John M. Francis to the President, asking medal for this man; indorsed by Congressman.

December 9, 1876, letter from this man requesting reconsideration to Congressman Townsend, who transmits same.

Indorsement Townsend, Adjutant General, January 4, 1877, states this man is still in the service, first lieutenant, retired.

January 10, 1877, Secretary of War directs issue.

One medal issued January 26, 1877.

952. Brownell, Francis E., Company A, Eleventh New York Infantry Volunteers.

Case No. 1217 (484472). Antietam, Md., September 17, 1862. While in command detached company, regiment thrown into confusion, without orders made countercharge upon attacking column, checked assault. Penetrated within enemy lines at night, obtained valuable information.

June 25, 1897, statement of this man describing service and incident; cites order Gen. W. S. Smith.

June 24, 1897, letter introduction M. S. Quay and S. B. Elkins to Secretary of War.

Press copy letter Gen. W. F. Smith commendatory; describes action.

Mentioned specifically official report September 30, 1862, Gen. W. F. Smith.

July 29, 1897, letter applicant.

July 30, 1897, Secretary Alger presents medal.

One medal issued September 10, 1897.

1217. Carter, John J., Company B, New York Volunteer Infantry.

Case No. 1215 (378593, 1258530), Pea Ridge, Ark., March 7, 1862. Directed deployment of command, held ground under brisk fire shot and shell; several times wounded.

December 4, 1893, this man asks for medal: "Many soldiers have received medals on my recommendations, occurred to me I might be entitled to one."

Describes service and cites incident.

June 27, 1907, letter of applicant.

August 1, 1907, brief of application for medal for Indian fight. Denied by Assistant Secretary Oliver, August 15, 1907; brief Adjutant General's Office, September 25, 1908, requested reconsideration; conclusion of Board of Inquiry noted.

October 2, 1908, Acting Secretary Oliver adheres to previous decision.

Brief Adjutant General's Office, 1883; General Order 125, Headquarters Artillery, October 21, 1882, findings court of inquiry.

Extracts report Gen. Curtis April 6, 1882 (p. 199, vol. 8, R. R.).

December 12, 1893, Secretary of War transmits medal for distinguished gallantry.

One medal issued January 16, 1894.

1215. Carr, Eugene A., United States Army.

Case No. 1288 (296371). Malvern Hill, Va., July 1, 1862. Wounded and carried to rear; secured rifle. voluntarily returned to front, failed to find regiment, joined another, fought until wounded and taken prisoner.

This man applies for medal, and submits letters dated August 14, July 2, and August 26, 1891, addressed to Secretary of War by Lieut. Col. J. H. Barnes, Sergt. Cogswell, and Capt. T. W. Clarke.

No special mention of bravery found in records R. and P.

August 29, 1891, Acting Adjt. Gen. Vincent states evidence lacking in this case; Assistant Secretary denies medal.

December 2, 1897, submits additional evidence.

Three statements, J. H. Barnes, Lieutenant colonel Twenty-ninth Massachusetts; Gen. D. H. Hill, description of battle at Gaines Mill in Battles and Leaders of Civil War.

Statement of applicant.

January 24, 1898, letter Senator G. F. Hoar.

March 22, 1898, Secretary Alger presents medal.

One medal issued April 1, 1898.

1288. Osborne, William H., Company C, Twenty-ninth Massachusetts Infantry.

Case No. 1343 (380195). Chickamauga, Ga., September 20, 1863. Seized colors retreating regiment and led it into thick of attack.

January 15, 1894, Gen. A. Baird asks medal for this man; describes service.

January 28, 1864, specifically mentioned in battle reports, Col. Vandever, Thirty-fifth Ohio.

Report Gen. J. M. Brannon, September 29, 1863, specifically mentions.

January 16, 1894, Assistant Secretary denies for lack evidence.

February 3, 1894, letter Gen. H. B. Boynton mentions specific incident.

June 6, 1895, Acting Secretary Doe presents medal for most distinguished gallantry.

One medal issued June 12, 1895.

1343. Gilley, Clinton A., Second Minnesota Infantry.

Case No. 1228 (504522). Antietam, Md., September 17, 1862. Voluntarily exposed himself to great danger in fighting line succoring wounded and helpless and getting them to hospital.

January 8, 1898, this man asks for medal; describes service.

September, 1897, affidavit Bernard Byrne, Thirty-third New York; affidavit Frank McGuire, private; affidavit Thomas Casey, private; October, 1897, all of Thirty-third New York.

Report W. H. Irwin, commanding Third Brigade, Second Division, Sixth Artillery Corps, specifically mentions this man, volume 19, part 1, page 409.

March 22, 1898, Alger presents medal.

One medal issued March 30, 1898.

1228. Curran, Richard, Thirty-third New York Volunteers.

Case No. 1527 (390500). Chancellorsville, Va., May 4 and 5, 1863. In command of the picket line held the enemy in check all night to cover the retreat of the Army.

May 12, 1894, John Hancock, major, Acting Adjutant General, requests medal for this man; describes incident, and quotes Gen. W. S. Hancock's order of May 10, 1863, and Gen Meagher's order of May 10, 1863.

June 1, 1894, Gen. J. R. Brooke states, "I would recommend medal on Gen. Hancock's letter of May 10, 1863, alone."

May 3, 1863, report of E. Whiteford, Eighty-eighth New York.

May 4, 1863, report of No. 1527.

June 12, 1894, Assistant Secretary of War states: "Shows gallant service under specific orders. More detailed information desired."

August 28, 1894, Congressman McAleer submits letter of Maj. Hancock, dated February 15, 1895, who states the service was voluntary.

Mar. 14, 1895, Assistant Secretary Doe grants medal for most distinguished gallantry at the Battle of Chancellorsville.

One medal issued March 26, 1895.

1527. Mulholland, St. Clair A., major, One hundred and sixteenth Pennsylvania Infantry.

Case No. 1529 (326973). Chancellorsville, Va., May 3, 1863. Remained in the rifle pits after the others had retreated, firing constantly and contesting the ground step by step.

April 23, 1892, Senator Cameron submits petition of 1529. Contains statements of Col. R. McAllister, March 1, 1864; Capt. B. F. Moorehouse, November 21, 1891; Lieut. Rosseter, November 19, 1891; Capt. Meeker, November 12, 1891; First Sergt. William Hand, November 13, 1891; and statement of 1529.

December 1, 1891, J. R. Hardine transmits letter to Senator McPherson.

April 25, 1892, Gen. Schofield recommends medal for this man for distinguished conduct at the Battle of Chancellorsville.

Senator Cameron, in indorsement, states: "The within case has been referred to me as a subcommittee of the Senate Committee on Military Affairs. It appears from the testimony of the officers that this man is without the action of Congress clearly entitled to a medal for brave and distinguished services rendered by him.

The Adjutant General's records show that Col. McAllister recommended three enlisted men for medals of honor for bravery in engagements, May 3 and 4, 1863, but No. 1529 was not mentioned.

April 29, 1892, Acting Secretary of War directed issue.

One medal issued May 6, 1892.

1529. Oss, Albert, private, Company B, Eleventh New Jersey Infantry.

Case No. 1546 (538449). Near Bristol Station, Va., October 14, 1863. With one companion returned in the face of the enemy's heavy artillery fire and removed to a place of safety a severely wounded soldier who had been left behind as the regiment fell back.

January 30, 1899, A. B. Jameson, lieutenant, Sixth Pennsylvania Reserve Volunteers, applies for medal for this man. Describes incident. Incloses statement of 1546, dated January 12, 1899, describing incident.

December 27, 1898, affidavit of W. H. H. Core, major, Sixth Pennsylvania Reserve Volunteers.

January 4, 1898, affidavit of C. S. Fornwald.

January 30, 1899, resolution of the Sixth Regiment, Pennsylvania Reserve Volunteers, petitioning for a medal.

April 21, 1899, Assistant Secretary Meiklejohn awards medal for most distinguished gallantry.

One medal issued May 13, 1899.

1546. Corson, Joseph K., assistant surgeon, Sixth Pennsylvania Reserves. (Thirty-fifth Pennsylvania Volunteers.)

Case No. 1530 (506179). Baxter Springs, Kans., October 6, 1863. While in command of two companies of Cavalry, was surprised and attacked by several times his own number of guerrillas, but gallantly rallied his men and after a severe struggle drove the enemy outside the fortifications. Lieut. Pond then went outside the works and, alone and unaided, fired a howitzer three times, throwing the enemy into confusion and causing him to retire.

January 15, 1898. N. M. Curtis applies for medal and cites report of Maj. B. S. Henning, Third Wisconsin Cavalry, dated October 7, 1863, found at page 695, volume 22, Series I, Part I; report of October 15, 1863, of Col. C. W. Blair, Fourteenth Kansas Cavalry, page 690; and report of October 19, 1863, of Maj. J. Blunt, page 688; all commendatory mention.

October 7, 1863, report of 1530, describes incident.

W. C. Quantrell, Confederate States Army, commanding Confederate forces, describes action.

March 22, 1898, Secretary Alger presents medal.

One medal issued March 30, 1898.

1530. Pond, James B., first lieutenant, Company C, Third Wisconsin Cavalry.

Case No. 1537 (497031). Gettysburg, Pa., July 2, 1863. Displayed most conspicuous gallantry on the field, vigorously contesting the advance of the enemy and continuing to encourage his troops after being himself severely wounded.

June 21, 1893, Sergt. Charles T. Keefer, Seventieth New York Volunteers, and Felix Brannigan, private, Seventy-fourth New York Volunteers, present claim

and cite two instances, one at Chancellorsville, gallantry, and the other at Gettysburg.

May 13, 1863, Gen. J. B. Carr, commendatory mention.

August 21, 1893, major general commanding, can not take action looking to a final decision.

December 26, 1893, Assistant Secretary Doe asks commanding general for opinion or recommendation.

January 3, 1894, Gen. Schofield recommends medal of honor for distinguished gallantry at Chancellorsville and Gettysburg.

November 15, 1893, detailed statement by Gen. Tremain.

June 18, 1894, Assistant Secretary asks Gen. Tremain for further evidence.

May 5, 1897, Mr. Keefer filed notice for himself and Brannigan for cancelling application for medal for Gettysburg. It is not apparent that services were rendered above and beyond duty.

May, 1893, Gen. Stanley received medal for service at Franklin, Tenn. That is the only case of a corps commander.

Gens. Baird and Robinson, division commanders, received medals for leading troops.

Gen. Carr, who commanded a division, refers to the salutary effect of Gen. Sickles's presence on the field.

Gen. Robinson was in front of his brigade in a desperate attack until wounded. Gen. Baird placed himself in front of a third of his division, absenting himself from the other two-thirds where he belonged. He led the fraction in a successful assault, losing two horses. This brief of Gen. G. W. Davis submitted to the Secretary of War and Gen. Ruggles June 15, 1897. No action taken, but Mr. Keefer was informed of probable adverse decision.

Return of all papers requested by Mr. Keefer.

November 18, 1893, C. T. Keefer, notation: "Gen. Grant informed me personally that he would take up this case on evidence of some officer having personal knowledge."

October 30, 1897, by direction of the President, medal is presented for display of most conspicuous gallantry on the field, both before and after the loss of his leg.

One medal issued October 30, 1897.

1537. Sickles, Daniel E., major general, United States Volunteers.

Case No. 975 (493 H 1866). St. Louis, Mo., September 5, 1864. Extinguished an incendiary fire in quartermaster's warehouse.

June 21, 1866, this man asks medal; describes service.

February 2, 1867, Congressman Hogan refers above letter to Secretary of War.

February 4, 1867, Acting Adjutant General Vincent states that the matter was once mentioned in his presence some time last year, but he has no papers in the case and does not know concerning it.

E. D. Townsend forwards medal honor April 16, 1867.

One medal issued April 16, 1867.

975. Hawken, James M., storekeeper, Quartermaster Department.

Case No. 1271 (1256 ACP71). White Oak Swamp Bridge, Va., June 30, 1862.

When captain wounded, succeeded to command two batteries engaged against superior force; fought guns most gallantly until compelled to retire.

September 18, 1897, Senator Sewell asks medal for this man; cites service.

Gen. John R. Brooke, September 7, 1897, also asks medal for this man; cites incident.

Letter, September 2, 1897, Maj. Robert Nugent, commanding Irish brigade, commendatory.

October 14, 1897, Senator Sewell asks information about request for medal, inclosing letter applicant dated October 13, 1897, to himself.

November 5, 1897, letter Asa Bird Gardiner describes incident of June 30, 1863.

November 16, 1897, detailed statement of 1271.

November 18, 1897, letter Robert Nugent.

November 19, 1897, affidavit of 1271.

Report 1271 dated July 6, 1862, commanding battery Fourth Artillery.

November 27, 1897, letter Secretary of War (not signed) stating that this man and his comrades all did their duty bravely. Medal denied.

December 4, 1897, pencil notation: "Secretary of War says file: 'No action.'" (Signed) G. W. D.

December 6, 1897, Maj. Gen. Brooke elaborates statement in regard to incident.

November 12, 1897, Secretary Alger from Schofield; adverse decision reached.

March 22, 1898, Secretary Alger presents medal.

One medal issued April 2, 1898.

1271. King, Rufus, Fourth United States Artillery.

Case No. 1006 (493710). 1861 and 1862. Services during the rebellion.

August 3, 1871, father of this man requests medal for son. "Only son, left England November, 1859, enlisted Fifteenth Regiment New York Engineers as carpenter. Eleven months after building bridge on James River took fever and died May 30, 1862, age 27. Received pension to bring up motherless girl left with me, 13 years of age." Desires medal to hand down to posterity.

August 7, 1871, forwarded to Secretary of War.

Adjutant General cites service; states no medals for general distribution.

Secretary Belknap, August 31, 1871, says: "Send medal to this soldier through the State Department." Medal sent September 30, 1871.

September 4, 1871, E. D. Townsend, Acting Adjutant General, to John Potts, C. C.: "Cause medal to be engraved for this man."

One medal issued September 30, 1871.

1006. Storr, Robert, Company A, Fifteenth New York Volunteer Engineers.

Case No. 1053 (337995). Wilsons Creek, Mo., August 10, 1861. Conspicuously gallant in leading regiment in successful charge against the enemy.

June 22, 1892, friends of this man request medal; service at Wilsons Creek cited. R. R., volume 3, Series I, Maj. Sturgis's report.

June 25, 1892, Col. Ainsworth, R. and P. Office, recommends for conspicuous gallantry at Wilsons Creek, Mo., August 10, 1861.

Approved June 25, 1892, by Secretary Elkins.

One medal issued July 2, 1892.

1053. Schofield, John M., United States Army.

Case No. 1757 (508024). Harpeth River, Tenn., December 17, 1864; Selma, Ala., April 2, 1865. Obtained permission, advanced on enemy's position with Fourth United States Cavalry, led attack upon battery, dispersed enemy, captured guns. Charged at head of regiment into second and last line of enemy's works.

February 1, 1898, Gen. J. H. Wilson asks medal for this man; describes service of his staff officer.

Report February 1, 1865, Gen. Wilson specifically mentions this man.

March 22, 1898, Secretary Alger presents medal.

One medal issued March 30, 1898.

1757. Beaumont, Eugene B., United States Army.

Case No. 1566 (460565). Chancellorsville, Va., May 3, 1863. At great risk voluntarily saved the lives of and brought from the battle field two wounded comrades.

October 21, 1896, W. H. Barr submits letter of October 10, 1896, of this man; also statement describing incident.

Statement of Corpl. J. Wainwright, Twenty-third New Jersey Volunteers.

June 13, 1895, two letters of Col. Crabb.

This officer was dismissed the service; order of dismissal revoked January 29, 1866. Act Congress May 11, 1896, corrected military record to show honorable discharge December 2, 1864.

Commendatory mention in Col. E. Burd Grubb's report May 10, 1863.

Favorable indorsement Lieut. Col. T. C. Moore, Thirty-fourth New Jersey Volunteers.

October 26, 1896, Assistant Secretary Doe awards.

One medal issued November 2, 1896.

1566. Taylor, Forrester L., Company D, Twenty-third New Jersey Volunteer Infantry.

Case No. 1264 (359879). South Mountain, Md., September 14, 1862. Alone, unaided, left hand disabled, captured Confederate captain and four men.

Congressman Owens submits letter J. H. Smith, dated February 21, 1893, requesting medal for this man.

Affidavit, February, 1893, of applicant describing incident; affidavit M. Watkins, February 17, 1893; joint affidavit Richard Conley and Nelson M. Lamb,

December 14, 1893; affidavit January 5, 1894, of applicant with full statement; two affidavits, February, 1893, E. H. Newkirk and J. C. McVicker, comrades, Twelfth Ohio Volunteer Infantry.

August 12, 1893, Grant considers evidence insufficient.

January 11, 1894, Assistant Secretary awards medal on additional statement and affidavits furnished for most distinguished gallantry.

One medal issued January 31, 1894.

1264. Inscho, Leonidas H., Company E, Twelfth, and Company A, Twenty-third Ohio Infantry.

Case No. 1737 (492391). Reams Station, Va., August 25, 1864. Regiment retreating under fire voluntarily remained behind to succor wounded officer in great danger, secured assistance and removed officer to place of safety.

August 6, 1897, Col. J. K. Robinson, Sixteenth Pennsylvania Cavalry, asks medal and describes incident; sworn to September 7, 1897.

Letter, September 2, 1897, Col. James A. Beaver, One hundred and forty-eighth Pennsylvania Volunteers; also affidavit, September 24, 1897, of Col. Beaver.

October 2, 1897, Secretary Alger presents medal.

One medal issued October 16, 1897.

1737. Rohm, Ferdinand F., Sixteenth Pennsylvania Volunteer Cavalry.

Case No. 1054 (18148-93). Fairfax, Va., June 1, 1861. Twice charged through enemy's lines, taking carbine from an enlisted man; shot enemy's captain.

October 20, 1893, Lieut. Col. Barr asks medal for this man, inclosing two affidavits, June 26, 1893, of Capt. P. M. Boehm, United States Army, and Private John J. Curley, Second Cavalry.

November 2, 1893, approved by Schofield.

November 4, 1893, Assistant Secretary Grant issues medal for distinguished gallantry.

One medal issued November 13, 1893.

1054, Tompkins, Charles H., United States Army.

Case No. 1770 (376040). Cold Harbor, Va., June 1, 1864. Led the brigade skirmish line, in a desperate charge on the enemy's masked batteries, to the muzzles of the guns, where he was severely wounded.

October 28, 1893, Gen. D. Butterfield submits petition for medal for this man. This petition is signed by officers of the Sixteenth Michigan Regimental Association and 35 other survivors.

Letter October 26, 1893, of G. D. Sidman describing incident.

Adjutant General's Office record shows this man was wounded at Cold Harbor.

Extracts of contemporaneous commendatory mention by Lieut. Col. J. V. Ruehle, commanding Sixteenth Michigan, specifically mentions this man.

Gen. J. J. Bartlett commendatory mention.

Extract from letter of Col. Partridge, August 11, 1865, commendatory; recommended for brevet.

November 8, 1893, Assistant Secretary L. A. Grant issues medal for distinguished gallantry.

One medal issued December 4, 1893.

1770. Hill, Edward, captain Company K, Sixteenth Michigan Infantry.

Case N. 1763 (331661). Spottsylvania, Va., May 12, 1864. Although severely wounded he led the regiment against the enemy, under a terrific fire, and saved a battery from capture.

March 31, 1892, Col. R. L. Orr, Sixty-first Pennsylvania Infantry, asks for medal for this man. This letter is indorsed by Gen. T. W. Hyde, April 5, 1892; indorsed by Gen. G. W. Getty, April 11, 1892; indorsed by Gen. H. G. Wright, April 15, 1892.

April 21, 1892, Col. Orr requested to designate particular action in which No. 1763 was distinguished.

April 25, 1892, letter of Col. Orr submitted, designating Spottsylvania, Pa.

April 27, 1892, Col. Orr was informed that affidavits were necessary to come within the law.

May 9, 1892, affidavit of David Ginther, private, was submitted, which is sworn and subscribed to by Comrades T. J. McGeoy and C. F. Kennedy, Sixty-first Pennsylvania Infantry. Col. Orr notes that those men are members in good standing and belong to the Sixty-first Pennsylvania Infantry.

May 31, 1892, Gen. Schofield states: "Conduct of 1763 fully merits, in my judgment, a medal."

June 4, 1892, Assistant Secretary, having personally considered the case, directs issue of medal.

One medal issued June 25, 1892.

1763. Clausen, Charles H., first lieutenant, Company H, Sixty-first Pennsylvania Infantry.

Case No. 1728 (366075). Dug Gap, Ga., May 8, 1864. Voluntarily risked his life in rescuing, under the fire of the enemy, a wounded comrade who was lying between the lines.

Case No. 1749 (366075). Dug Gap, Ga., May 8, 1864. Risked his life in rescuing a wounded comrade under fire of the enemy.

May 17, 1893, Senator C. K. Davis submits application of 1728 for medal of honor for himself and for 1749, inclosing affidavit.

May 18, 1893, of 1728.

August 24, 1893, Assistant Secretary L. A. Grant requires further evidence.

March 14, 1894, No. 1728 submits affidavits of Lieut. Col. S. D. Warner, dated September 25, 1893, and of Corporal D. M. Wright, dated October 25, 1893, both of the One hundred and fifty-fourth New York Volunteers.

April 5, 1894, Assistant Secretary Doe issues two medals for most distinguished gallantry.

Two medals issued April 13, 1894.

1728. McKay, Charles W., sergeant, Company C, One hundred and fifty-fourth New York Infantry.

1749. Welch, Stephen, sergeant, Company C, One hundred and fifty-fourth New York Infantry.

Case No. 1539 (355575). Chickamauga, Ga., September 20, 1863. Held out to the last with a small force against the advance of superior numbers of the enemy.

December 24, 1892, J. F. Conaway asks medal for this man; indorsed by Gen. W. I. Palmer.

August 23, 1893, service valuable and worthy of high commendation, but not kind for which medals are authorized. Not favorably considered.

November 10, 1893, petition signed by four officers of Fifteenth Pennsylvania Cavalry. "Carrying dispatches from Gen. Palmer, Athens, Ga., to Gen. Upton, Augusta, Ga., and securing information of Jefferson Davis and party."

November 21, 1893, Grant issues medal for distinguished gallantry in action at Chickamauga.

One medal issued December 4, 1893.

1539. Taylor, Anthony, Company A, Fifteenth Pennsylvania Cavalry.

Case No. 1767 (415476). Petersburg, Va., June 17, 1864. Refused to leave the field, remaining in command, after being wounded by a piece of shell, and led his command in the assault on the enemy's works on the following day.

April 25, 1895, Howard Thornton asks medal for this man.

April 27, 1895, advised of the requirements of evidence of eyewitnesses.

May 28, 1895, evidence submitted.

May 1, 1895, letter of Lieut. A. W. Belcher, Fifteenth New York Heavy Artillery.

May, 1895, letter of Lieut. John Ritchie, Fifteenth New York Heavy Artillery. 1864, Gen. Warren's report, Series I, volume 42, part 1, page 429; Gen. Ayres's report, page 471.

May 6, 1895, statement of Col. M. Wiedrich, Fifteenth Regiment Heavy Artillery, New York Volunteers.

July 9, 1895, Assistant Secretary Doe states: "A gallant officer, but case not deemed proper for medal."

March 13, 1896, Assistant Secretary of War advises Congressman N. M. Curtis, reconsideration of case.

Curtis refers to statement of Lieut. Ritchie.

April 27, 1896, statement of Lieut. A. W. Belcher.

June 3, 1896, Assistant Secretary Doe presents medal for most distinguished gallantry.

One medal issued June 10, 1896.

1767. Dickey, William D., captain, Battery M, Fifteenth New York Heavy Artillery.

Case No. 1764 (250985). Pleasant Hill, La., April 9, 1864. During an attack by the enemy, voluntarily left the brigade quartermaster, with whom he had been detailed as a clerk, rejoined his command, and, acting as first lieutenant, led the line further toward the charging enemy.

April 13, 1887, this man's request for medal of honor is forwarded by the Assistant Secretary of the Interior, Cyrus Bussey. In this letter No. 1764 describes his service in detail.

April 26, 1887, indorsed by George Sawin, first lieutenant, Fifty-eighth Illinois Volunteer Infantry.

Furlough of March 6, 1865, is referred to by him in a letter to his father and mother.

June 1, 1887, letter of John Ware, lieutenant, Company A, One hundred and nineteenth Illinois Infantry, states there is no better or braver man on the battle field.

1887, statement of Delos Allen, quartermaster, United States Volunteers.

June 6, 1887, letter of 1764 to Gen. Schofield.

This case was denied twice, June 24 and July 16, 1887, because medals were only issued for distinguished conduct in action. Gen. Schofield does not know anything about the merits of the case.

September 1, 1890, requests reopening of his case, believing his claim not fairly considered.

September 8, 1890, Assistant Secretary Bussey again requests medal for this man.

September 11, 1890, Gen. Schofield states, in spite of obvious defects in papers, taken together, I think there is sufficient evidence of conspicuous bravery at the battle of Pleasant Hill, La., April 9, 1864, and award of medal recommended.

September 12, 1890, Acting Secretary of War, having personally considered case, concurs in Gen. Schofield's recommendation, and directs issue of medal.

One medal issued September 19, 1890.

1764. Cook, John H., sergeant, Company A, One hundred and nineteenth Illinois Infantry.

Case No. 1050 (2198 EB 80). Bull Run, Va., July 21, 1861. Gallantry in action; was wounded in advance of regiment.

February 12, 1880, Mathew Maginnis, delegate in Congress, captain First Minnesota Volunteers, incloses affidavit of G. W. Johnes, dated February 12, 1880.

February 24, 1880, Adjutant General notifies Congressman Maginnis that medal can not be awarded in this case, as it does not appear from the records or from inclosed papers that this man performed any special act of gallantry. He was wounded, as were others, while in regimental line.

February 12, 1880, affidavit of applicant.

March 6, 1880, Congressman Maginnis asks reconsideration; states he was an eyewitness and cognizant of facts set forth in papers.

March 18, 1880, medal granted in this case; signed by E. D. Townsend, Adjutant General. One medal issued April 1, 1880.

1050. Merritt, John G., Company K, First Minnesota Volunteers.

Case 1015 (503536). Dutch Gap Canal, Va., January 1, 1865. After fuse to mined bulkhead had been lighted, picket guard not withdrawn, mounted bulkhead and at great personal danger warned guard.

December 29, 1897, Capt. R. P. O'Reilly, One hundred and sixteenth United States Colored Troops, requests medal for this man; describes service and recommends.

January 15, 1898, Lieut. Col. W. R. King describes the mine explosion; evidence rather negative.

August 25, 1898, Secretary of War very carefully considers case; applicant brave man; notwithstanding exhibition of valor, adverse decision reached.

November 28, 1898, Assistant Secretary Meiklejohn states upon reconsideration and because evidence that act performed, as set forth in commanding officer's statement, entitles him to medal.

One medal issued December 8, 1898.

1015. Thorn, Walter, One hundred and sixteenth United States Colored Troops.

Case No. 1047 (398124). Bull Run, Va., July 21, 1861. Removed dead and wounded under fire.

September 26, 1894, this man asks for medal; describes service.

September 22, 1894, certificate Col. C. W. Roberts, Second Maine Infantry. Roberts report, page 356, volume 2, series 1; report Col. E. D. Keyes, page 354, same volume.

November 26, 1894, Assistant Secretary Doe presents medal for most distinguished gallantry.

One medal issued December 27, 1894.

1047. Knowles, Ablather J., Company D, Second Maine Infantry.

Case No. 1012 (9908 WD 71). Fredericksburg, Va., May 8 to 11, 1864. Carried important dispatches from President to Grant, passing through enemy country, delivered messages and returned to Washington with replies.

November 15, 1871, this man requests medal; describes service; states Secretary Stanton promised him medal, which he did not receive.

November 15, 1871, approved by Belknap, Secretary of War; notification letter December 7, 1871.

This man belonged to Company D, Third Indiana Cavalry, and signs himself sergeant. Was detailed for duty in War Department on or about October 30, 1862.

One medal issued December 7, 1871.

1012. Lynch, John B.

Case No. 1572 (7422 C 88). Chancellorsville, Va., May 3, 1863. Auburn, Va., October 14, 1863. Saved gun Fifth Maine Battery from capture. Voluntarily carried orders which resulted in saving from destruction or capture picket line First Division, Second Army Corps.

August 8 and 9, 1888, this man requests two medals, if more than one may be granted.

November 30, 1888, letter of applicant inclosing extracts of commendatory mention.

May 4 and 15, 1863 and 1865, Col. Mulholland. One hundred and sixteenth Pennsylvania Volunteers; Gen. Hancock, 1880, Col. J. A. Beaver, One hundred and forty-eighth Pennsylvania Volunteers.

October 17, 1863, Capt. S. G. Williamnes, One hundred and sixteenth Pennsylvania Volunteers. October 30, 1888, application submitted to Secretary of War.

November 6, 1888, Schofield finds nothing beyond usual good conduct in battle in this case.

November 9, 1888, Secretary of War states service rendered not of unusual character justifying medal.

November 29, 1888, applicant writes Congressman F. Lawler.

January 7, 1889, Gen. Schofield reviews entire record and is of opinion medal may be fairly granted for service at Auburn, Va., October 14, 1863.

January 11, 1889, after careful reconsideration of all circumstances in this case and testimonials submitted by distinguished officers, eyewitnesses, medal awarded for distinguished services at Auburn and Chancellorsville.

One medal issued January 31, 1889.

1572. Sacriste, Louis J., One hundred and sixteenth Pennsylvania Volunteers.

Case No. 1179 (450133). Williamsburg, Va., May 5, 1862. Chancellorsville, Va., May 2, 1863. At great personal risk voluntarily saved lives and brought from field two wounded comrades. Voluntarily, great risk, saved life Capt. Geo. R. Carse, Company C, Fortieth New York Volunteer Infantry.

May 14, 1896, Lieut. Ben. C. Welch, Fortieth New York Volunteers, requests medal for this man and cites service.

Adjutant General's Office records show clean service; no official mention of personal conduct.

June 17, 1896, returned for further evidence; two eyewitnesses if possible.

June, 1896, additional statement of Welch.

June 30, 1896, Assistant Secretary Doe presents medal for most distinguished gallantry in action.

One medal issued July 8, 1896.

1179. Boody, Robert M., Company B, Fortieth New York Infantry.

Case 1178 (382339). Newtonia, Mo., September 30, 1862. With single orderly captured an armed picket of eight men and marched them in prisoners.

February 9, 1894, Congressman John C. Black requests medal and incloses affidavits and statements as follows: Affidavit John Murphy, Thirty-seventh Illinois, February 2, 1894; affidavit J. H. Steger, Acting Adjutant General, January 29, 1894; statement E. B. Brown, February 2, 1894, comrade.

Adjutant General's Office, record clean; no mention distinguished action.

February 15, 1894, Assistant Secretary Doe: "Let medal issue for most distinguished gallantry at Newtonia, Mo."

One medal issued February 15, 1894.

1178. Blodgett, Wells H., Company D, Thirty-seventh Illinois Infantry.

Case No. 1176 (467268). Fredericksburg, Va., December 13, 1862. Gallantly responded to call for volunteers to man battery, serving with great heroism until end of engagement.

January 15, 1897, Congressman Charles A. Russell submits applications of Robert Colt and George F. Tinker asking medal for this man.

Adjutant Generals' Office records clean.

Affidavit Henry B. Lawrence, Twenty-first Connecticut Volunteers, dated December 21, 1896.

Affidavit D. D. Brown, Captain, Twenty-first Connecticut Volunteers, dated January 7, 1897.

Affidavit Charles T. Chapel, Twenty-first Connecticut Volunteers, dated December 21, 1896.

February 8, 1897, Assistant Secretary Doe awards.

One medal issued February 15, 1897.

1176. Beckwith, Wallace A., Company F, Twenty-first Connecticut Volunteer Infantry.

Case No. 1175. (465122). Corinth, Miss., October 4, 1862. Voluntarily took command of another regiment with consent of seniors; rallied command and led assault.

December 23, 1896, this man applies to Secretary of War for medal; states service.

February 17, 1897, statement D. C. Cameron, comrade.

Adjutant General's records do not show name of Cameron on roll of Independent Battery, Wisconsin Light Artillery, but do show Don Carlos Cameron enrolled August 29, 1861, in First Independent Battery Wisconsin Light Artillery.

Extract official report Lieut. Archer, page 217, vol. 17, RR, October 12, 1862, Brig. Gen. Buford's report, pages 216-217, dated October 13, 1862, same volume.

Extract report Gen. C. S. Hamilton, page 207, same volume.

July 23, 1897, Alger awards.

One medal issued August 2, 1897.

1175. Archer, James W., Fifty-ninth Independent Infantry Volunteers.

Case No. 1168 (352350). Tranters Creek, N. C., June 5, 1862. Handled battery with greatest coolness amidst hottest fire.

December 6, 1892, Senator N. W. Aldrich transmits application of this man for medal; submits copy General Order No. 7, Headquarters Marine Artillery June 9, 1862, and letter same date from Acting Adjutant General Hoffman.

Letter Col. W. A. Howard, commanding Thirteenth New York Artillery.

Adjutant General's records clean.

Extract Col. Oshorn's report RR, volume 9, pages 340, 342.

August 22, 1897, Grant directs issue for conspicuous gallantry at Tranters Creek, N. C., June 5, 1862.

One medal issued September 2, 1893.

1168. Avery, William B., First New York Marine Artillery.

Case No. 1229 (458468). Baton Rouge, La., August 5, 1862. Voluntarily sought line battle, alone and unaided captured two prisoners, driving them at point of bayonet before him to headquarters.

September 14, 1896, Henry Banford asks medal for this man; accompanies request by affidavit November, 1896, of Lieut. Col. R. Fitzgibbon; affidavit Capt. L. O'Brien, Ninth Connecticut Volunteers; affidavit First Lieut. Daniel O'Sullivan.

Official report August 5, 1862, page 71, volume 15, RR, Lieut. Col. Fitzgibbon specifically mentions this man.

October 27, 1896, Assistant Secretary Doe: "Gallant conduct, but appears to have received appropriate reward by being given commission at the time."

December 9, 1896, in the light of sworn statements of regimental commander, November 28, 1896, medal presented for gallantry.

One medal issued December 16, 1896.

1229. Curtis, John C., Ninth Connecticut Volunteers.

Case No. 1247 (434439). Antietam, Md., September 17, 1862. While exposed to fire of enemy, carried from field wounded comrade.

November 16, 1895, Congressman Sowden, corporal One hundred and twenty-eighth Pennsylvania Infantry, describes incident and asks medal for this man. Testimony two eye-witnesses required.

November 28, 1895, affidavit First Sergt. B. C. Roth; affidavit Corpl. W. H. Lowden; affidavit of applicant.

December 4, 1895, Assistant Secretary Doe presents medal for most distinguished gallantry.

One medal issued December 12, 1895.

1247. Gresser, Ignatz, Company D, One hundred and twenty-eighth Pennsylvania Volunteers.

Case No. 1270 (470768). Trenton, N. C., May 15, 1862. Voluntarily left retiring column, returned in face of enemy fire, helped wounded man on horse, enabled him to escape capture or death.

February 18, 1897, affidavit Col. Gouraud, eyewitness, Third United States Volunteers, captain Third New York Cavalry, applies for medal for this man; describes incident; affidavit sworn to September 17, 1897.

March 10, 1897, Gouraud asks action on application.

September 18, 1897, Secretary Alger presents medal.

One medal issued September 28, 1897.

1270. Kenyon, John S., Company D, Third New York Volunteer Cavalry.

Case No. 1238 (541956). Near Jackson, Tenn., December 23, 1862. Command surrounded by greatly superior force, voluntarily left shelter of breastworks, crossed open railway trestle under heavy fire, made his way out, secured reinforcements for relief of command.

March 9, 1899, this man asks medal, inclosing affidavits and certificates of four eyewitnesses, dated March 8, 1899; Capt. John Shockey, Company I; Privts. A. Downing, W. H. Rigdon, and Jacob Routson, all of One hundred and sixth Illinois Infantry; affidavit Capt. David Hartz, One hundred and sixth Illinois Infantry, February 15, 1899.

October 29, 1899, record shows date of action should have been December 23, 1862.

Clipping from Chicago Inter-Ocean; extract report Col. George P. Ihrie, page 562, volume 27, par I, Rebellion Records.

November 28, 1899, Maj. Tweedale says: "Have applicant return medal for correction of date and new medal will be issued." April 20, 1899, Meiklejohn awards for distinguished gallantry.

One medal issued May 16, 1899.

1238. Fox, Henry, Company H, One hundred and sixth Illinois Infantry.

Case No. 1501 (462015). Chancellorsville, Va., May 2, 1863. Volunteered to ascertain character of approaching troops; rode close enough to distinguish faces of enemy; as he wheeled they opened fire, Union troops returning same. Under terrific fire from both sides, rode back unhurt to lines, averting disaster to Army by heroic act.

November, 1896, Lieut. G. I. Whitehead, Sixth Pennsylvania Cavalry, requests medal for this man; cites service.

Letter Capt. J. W. Martin, Sixth New York Light Artillery, April 6, 1895.

Extract contemporaneous reports: Gen. Pleasanton, May 18, 1863, and May 11, 1863, May 30, 1863, Gen. Sickles.

November 20, 1896, Assistant Secretary Doe presents medal for most distinguished gallantry.

One medal issued November 27, 1896.

1501. Thomson, Clifford, First New York Cavalry, Fifth United States Volunteers.

Case No. 1504 (290664). Gettysburg, Pa., July 3, 1863. Passed through murderous fire of grape and canister delivering orders, and re-formed the crowded lines.

May 31, 1892, T. S. Peck, adjutant general Vermont, requests medal for this man; cites Gen. Stannard's report July 4, 1863, complimentary to this man; letter Col. George W. Hooker, also letter Col. Veazey, Sixteenth Vermont.

Report Gen. Stannard, volume 27, series 1, part 1, page 348.

Letter September 19, 1891. George W. Hooker.

June 4, 1892, Schofield recommends medal for distinguished conduct.

Assistant Secretary, having personally considered case, directs issue. June 4, 1892.

This man is editor of the Free Press.

One medal issued June 27, 1892.

1504. Benedict, George G., Company C, Twelfth Vermont Volunteers.

Case No. 1225 (166992). Fredericksburg, Va., December 13, 1862. Seized regimental colors, bearer having been shot, waving them rallied regiment under heavy fire.

March 28, 1890, letter from Congressman Moore; incloses letter of applicant March 15, 1890.

April 8, 1890, Schofield says necessary evidence lacking; affidavits of comrades required.

May 5, 1890, affidavit G. E. Heath. Tenth New Hampshire; April 28, 1890, affidavit of Lieut. Col. J. W. Babbitt; and May 6, 1890, affidavit A. Chase, both of Ninth New Hampshire Volunteers.

July 1, 1890, Peck, adjutant general Vermont, sends application of this man, and incloses letter from him dated June 27, 1890.

June 13, 1890, Schofield recommends award for conspicuous bravery.

June 16, 1890, Assistant Secretary, having personally considered case, directs issue.

One medal issued June 28, 1890.

1225. Copp, Charles D., Ninth New Hampshire Volunteers.

Case No. 1536 (444701). Chancellorsville, Va., May 3, 1863. Assuming command of brigade, rallied around colors men from other regiments fought with these troops with great brilliancy through several hours desperate conflict, remaining though wounded, and inspiring by gallant conduct.

February 28, 1896, J. J. Gardiner requests medal for this man.

Published account referred to in letter of Jos. Dickinson.

Commendatory mention in reports of Sickles, Brig. Gen. J. B. Carr, and Capt. Healy, May, 1863.

Extract report of applicant, May 8, 1863.

March 24, 1896, Assistant Secretary Doe presents medal for most distinguished gallantry.

One medal issued March 25, 1896.

1536. Sewell, William J., Fifth New Jersey Volunteers.

Case No. 1404 (451231). Fredericksburg, Va., May 3, 1863. Though severely wounded and in face deadly fire at short range, rushed forward and was among first to enter enemy's works on crest Maryes Heights; helped plant regimental colors there.

May 23, 1896, this man asks medal; incloses testimonials of Lieut. Col. F. B. Harlow, Capt. Z. F. Bliss, and Sergt. Hetherston, all of Seventh Massachusetts; papers dated March 31, 1865, of Col. T. D. Johns, Seventh Massachusetts.

June 16, 1896, returned; application should be made by some other person.

Lieut. Col. F. B. Harlow's application is submitted, and Assistant Secretary Doe, August 15, 1896, presents medal for most distinguished gallantry.

One medal issued August 24, 1896.

1404. Maxham, Lowell M., Company F, Seventh Massachusetts Infantry.

Case No. 1507 (16425). Chickamauga, Ga., September 19, 1863. Most distinguished gallantry in battle.

September 13, 1893, this man asks medal, citing commendatory mention in report of Capt. A. B. Dod, Fifteenth Infantry, October 19, 1863, volume 30, part I, page 317, R. R.

Lieut. W. G. Galloway's statement not with papers; Galloway cashiered in 1867.

Newspaper clipping.

September 21, 1893, H. C. Corbin returns; medals issued only on recommendation of eyewitnesses and evidence.

January 25, 1894, Schofield: "No recommendation to make."

January 27, 1894, Assistant Secretary Doe grants medal for most distinguished gallantry.

One medal issued January 27, 1894.

1507. Carson, William J., Company E, Fifteenth United States Infantry.

Case No. 1219 (474419). Antietam, Md., September 17, 1862. Wounded; taken to rear insensible; partially recovered, insisted upon returning to battery and resumed command of piece; remained until close of battle.

March 29, 1897, Congressman Bull submits application for medal for this man of John A. Tompkins, lieutenant colonel; indorsed by Capt. J. A. Hazard.

Affidavits Pvts. McKay and McDonald, March 22, 1897.

July 13, 1897, Secretary Alger presents medal.

One medal issued July 20, 1897.

1219. Child, Benjamin H., Battery A, First Rhode Island Light Artillery Volunteers.

Case No. 1221 (358418). Fredericksburg, Va., December 13, 1862. Gallantly led regiment in battle at critical moment.

Col. William Greer requests medal for this man, February, 1893; describes incident and service; approved by Maj. Gen. J. C. Robinson.

Gen. Robinson, commendatory report; Gen. Birney withdraws recommendation for promotion of this man; record finding sentence general court-martial June 3, 1863; General Order No. 93, dated October 17, 1863.

Secretary's office February 14, 1893: "The Secretary desires the award of medal and invites attention to approval of Maj. Gen. J. C. Robinson, who called in person to see Secretary on subject and promised favorable action if no insuperable objection be found to exist."

March 1, 1893, Schofield states: "In my judgment, based on records, medal may properly be awarded under the law to this man for distinguished bravery in action."

March 3, 1893, Secretary Elkins approves "let medal be issued at once and make case special. See that it may be in my hands Monday next if possible."

One medal issued March 10, 1893.

1221. Collis, Charles H. T., One hundred and fourteenth Pennsylvania Volunteers.

Case No. 1169 (375085). Prairie Grove, Ark., December 7, 1862. Gallantly charged enemy at head regiment after two regiments had been repulsed; captured battery; severely wounded.

October 12, 1893, Capt. T. H. L. Payne, Thirty-seventh Illinois, requests medal for this man; describes service.

Extract report Col. J. White, Thirty-seventh Illinois, C. C. Andrews, and Brig. Gen. F. J. Herron, in which this man is specifically mentioned for gallantry.

October 28, 1893, Secretary of War personally considers case; awards.

One medal issued October 31, 1893.

1169. Black, John C., Thirty-seventh Illinois Volunteers.

Case No. 1180 (449533). Rappahannock Station, Va., August 28, 1862. Voluntarily, and at great personal risk, picked up an unexploded shell and threw it away, thus doubtless saving the life of a comrade whose arm had been taken off by the same shell.

June 14, 1895, this man requests medal and describes service.

June 14, 1896, testimony in support of application requested.

Lieut. A. F. Chadwick, May 7, 1896, makes statement.

Affidavit, dated June 3, 1896, Col. A. J. Sellers bears testimony to gallant and courageous conduct of this man and his presence of mind in saving life of Donahoe.

Affidavit, June 5, 1896, T. P. Donahoe.

June 6, 1896, affidavit, W. H. Chapman.

June 30, 1896, Assistant Secretary Doe presents medal for most distinguished gallantry.

One medal issued July 8, 1896.

1180. Breyer, Charles. Company I, Ninetieth Pennsylvania Volunteer Infantry.

Case No. 1171 (520938). Fredericksburg, Va., December 13, 1862. To encourage regiment never before in action, and which had been ordered to lie down to protect itself from enemy's fire, arose to his feet, advanced to front of line, fired several shots at enemy at short range, being fully exposed to their fire at the time.

May 30, 1898, Gen. Sawtelle recommends this man for medal; cites R. R.

April 27, 1898, certificate Maj. T. F. Tobey, Seventh Rhode Island Volunteers.

Letter, May 19, 1898, recommends this man for medal, Gen. O. B. Wilcox.

Four extracts from R. R., O. B. Wilcox, S. D. Sturgis, James Nagle. Gen. Burnside.

December 3, 1898. Melklejohn awards for most distinguished gallantry.

One medal issued December 30, 1898.

1171. Bliss, Zenas R., United States Army.

Case No. 1051 (440324). Bull Run, Va., July 21, 1861. Took rifle and voluntarily fought with regiment in ranks; regiment forced back, remained on field caring for wounded and was taken prisoner.

January 11, 1898, this man applies for medal and describes service.

Testimonial signed by 16 officers and 18 enlisted men, Thirty-eighth New York Volunteers, dated November 15, 1861.

Mentioned specifically in official report July 29, 1861; Lieut Col. A. Farnsworth.

March 22, 1898, Secretary Alger presents medal.

One medal issued April 5, 1898.

1051 Murphy, Charles J., Thirty-eighth New York Infantry.

Cases Nos. 1173 (10070 A EB 87) and 1172 (471524). Stone River, Tenn., December 31, 1862, and January 1, 1863. Gallantry in action.

November 4, 1887, this man requests medal under decision of Secretary of War, dated October 27, 1887.

List of members Fifteenth Pennsylvania Cavalry from Gen. Rosecrans's report (official) who went to the front.

First indorsement Secretary of War Endicott, October 27, 1887: "It appearing from the accompanying papers that at the time the Fifteenth Pennsylvania Cavalry mutinied, certain members of that organization remained steadfast; that Gen. Rosecrans in a special field order, dated January 9, 1863, announcing his high satisfaction 'with those brave and determined men of the Anderson Guards who promptly marched to aid him in his advance on Murfreesboro' highly commended 'these young soldiers and their brave commanders' for 'their steadiness under fire and the intrepidity of their advance on the enemy.' it is therefore ordered that upon application therefor, and proof being presented of identity and compliance with the below-mentioned conditions, medals of honor be awarded to those members of the Fifteenth Pennsylvania Cavalry who participated in the battle of Stone River and rendered faithful service thereafter; like action in awarding medals of honor to members of a regiment having been taken in the case of the Twenty-seventh Maine Volunteers. June 24, 1863, and also in the cases of Col. John F. Hartranft and others of the Fourth Pennsylvania Militia Infantry, August 21, 1866."

September 13, 1897, Alger indorses: "Under paragraph 177, Army Regulations, as amended by General Order, No. 42, Adjutant General's Office, 1897, the services rendered by those members of the Fifteenth Pennsylvania Cavalry whose names herein appear, in obeying orders, going to the front and doing their duty at the Battle of Murfreesboro, from December 26 to December 31, 1862, are held to be insufficient to justify the award of the congressional medal of honor.

One medal issued November 18, 1887, and one November 16, 1887.

1173. Tweedale, John, Company B, Fifteenth Pennsylvania Cavalry.

1172. Bourke, John G., Company E, Fifteenth Pennsylvania Cavalry, Third United States Cavalry.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Murfreesboro, Tenn., January 9, 1863.

SPECIAL FIELD ORDERS, } No. 6.

XVIII. The general commanding announces his high satisfaction with those brave and determined men of the Anderson guards, who promptly marched under the gallant Majs. Rosengarten and Ward to aid him in his advance on Murfreesboro.

These young soldiers and their brave commanders vied with our most veteran Cavalry in their steadiness under fire and the intrepidity of their advance on the enemy, and nobly sustained the honor already won by the Seventh Pennsylvania Cavalry for the Keystone State.

While he deprecates the early death of brave young Maj. Rosengarten, the sorrow he feels at his loss is mingled with a soldier's pride to know that he fell like a hero, and for the sacred cause of nationality. He trusts Maj.

Ward may recover from his desperate but honorable wounds, will live to gather fresh laurels on many a field in his country's service.

The general commanding is grieved to learn that about 700 of these noble guards, said to belong to families of good standing at home, have chosen under some pretext or other not to follow their companions in arms to the field, to share with them the dangers and the glories of the Fourteenth Army Corps. He can not imagine what could have moved men on whom he laid such hopes to a course so base and selfish.

He can not conceive how they could shame their own kin and stain the clear honor of their native State by conduct, appearing not merely base and cowardly, but so criminal as to deserve the penalty of death. Before proceeding to do what his duty requires and having them dealt with as their conduct merits, before covering them with that deserved infamy which will blast them forever in the esteem of their fellows, the general commanding wishes this order read to them and all who are not lost to a sense of honor, to step forth and confess that whatever may have been their private wants or griefs, the hour of their country's peril and need was not the time to stand back and falter or expose their brethren in arms to danger and death without help. Let them then resolve on some reparation which will give him an opportunity to save some of them from impending disgrace and ruin.

By command of Maj. Gen. Rosecrans:

HENRY STONE,

Lieutenant and Assistant Acting Adjutant General.

Official:

I. BATES DICKSON,

Captain and Acting Adjutant General.

Case No. 1302 (797 A 87). Thoroughfare Gap, Va., August 28, 1862; Bull Run, Va., August 30, 1862. Horse shot under him, voluntarily joined One hundred and fifth New York Volunteers, conspicuous in advance on enemy's lines. Gallantry in advance on skirmish line, where he was wounded.

January 25, 1887, this man asks medal, inclosing: January 2, 1877, certificate, Sergt. J. Haskins, One hundred and fifth New York Volunteers; June 5, 1865, report Lieut. Russell Tyler, Sixth New Hampshire Volunteers; commendatory of service at Petersburg; June 6, 1865, G. A. Bolton, major, Thirty-first Maine Volunteers; letter of Private Secretary General N. P. Banks, transmitting saber and revolver, service "Forlorn hope, Port Hudson."

Record, G. C. M.

February 16, 1887, Gen. Sheridan recommends medal, and Secretary of War approves same date.

One medal issued March 9, 1887.

1302. Rhodes, Julius D., Company M, Thirty-first Maine Infantry.

Case No. 1597 (256258). Reams Station, Va., August 25, 1864. Command driven from works; crept back, loaded abandoned gun, fired directly into body enemy; joined regiment, took its colors, led it in charge which recaptured works and guns.

October 9, 1890, this man asks for medal—describes service in affidavit; copy Capt. W. S. Worth's letter August 25, 1864, commendatory; also five others of 1864; Lieut. Dauchey, Twelfth New York Battery, Capt. C. Woemer, Third New Jersey Battery, Lieut. Col. A. Monroe, Chief Artillery, Ninth Artillery Corps, Lieut. Fairchild and W. S. Eddy, Acting Adjutant General.

Capt. A. J. Clark, First New Jersey Artillery, report October 18, 1864, specifically mentions this man.

October 23, 1890, Gen. Schofield recommends medal and Assistant Secretary Grant awards.

One medal issued October 31, 1890.

1597. Ginley, Patrick, Company G, First New York Artillery.

Case No. 1775 (513627). Winchester, Va., September 19, 1864. Critical period, gallantly led cavalry charge, drove enemy out of works, captured many prisoners.

March 17, 1898, Congressman Dalzell asks medal and submits two letters dated March 8, 1898, of applicant describing service.

April 4, 1898, returned for requisite proof.

Five letters May, 1898: Capt. G. H. North, Corpl. E. R. Moore, Sergt. A. Gray, Corpl. J. W. Duffield, and L. Hart, comrades of Fourteenth Pennsylvania Cavalry.

February 27, 1899, denied by Assistant Secretary Meiklejohn.

May 13, 1899, Secretary Alger awards medal for most distinguished gallantry at Winchester.

One medal issued May 19, 1899.

1775. Schoonmaker, James, Company M, Fourteenth Pennsylvania Volunteer Cavalry.

Case No. 1224 (6538-94). Antietam, Md., September 17, 1862. Volunteered at age of 15 to act as cannoneer, and served as such; gun under terrific fire from enemy.

April 28, 1894, Capt. James Stuart describes service and asks medal for this man.

June 7, 1893, letter Lieut. W. P. Hogarty; returned May 4, 1894, for information as to specific act or service; indorsed by Capt. Stewart May 9, 1894, and James Stewart June 25, 1894.

June 30, 1894, Assistant Secretary Doe presents medal for distinguished gallantry at Antietam.

One medal issued June 30, 1894.

1224. Cook, John, bugler, Company B, Fourth Artillery.

Case No. 1661 (394424). Winchester, Va., September 19, 1864. In attempt to capture Confederate flag, captured one of enemy's officers and brought him within lines.

May 26, 1894, this man, by affidavit describing incident, requested medal; supported by affidavit, June, 1894, Capt. Smith, James Clifford, and W. G. Hill.

August 14, 1894, Acting Secretary Doe presents medal for distinguished gallantry in action.

One medal issued August 20, 1894.

1661. Lyman, Joel H., Company B, Ninth New York Cavalry.

Case No. 1048 (478988). Masons Island, Md., September 3, 1861. Assisted wounded comrade to river bank, and, under fire of enemy, swam with him across a branch of the Potomac to the Union lines.

May 15, 1897, Congressman Olmsted incloses application of this man, dated April 28, 1897, describes incident; incloses statement made September 3, 1861, asking for medal.

Adjutant Forty-second New York: "To best of my recollection, within statement is correct."

No record on muster roll of McIntyre having been prisoner.

April 28, 1897, statement of applicant, signed by Capt. Casey, Pvt. Fitzgerald, and Sergt. Sullivan, sworn to May 3, 1897, by Casey and Fitzgerald.

May 3, 1897, indorsement of G. N. Bomford, Forty-second New York.

March 22, 1898, Secretary Alger awards.

One medal issued April 14, 1898.

1048. Madden, Michael, Company K, Forty-second New York Infantry.

Case No. 1170 (373762). Pea Ridge, Ark., March 7, 1862. Single handed, confronted enemy, firing rifle at them and thus checking advance within 100 yards of line.

September 18, 1893; Congressman Black, colonel Thirty-seventh Illinois, asks medal for this man; describes service; eyewitness.

Lieut. and Adj. Chroniger, Thirty-seventh Illinois, affidavit September 21, 1893.

September 28, 1893, Secretary of War, having personally considered case, directs award.

One medal issued October 2, 1893.

1170. Black, William P., Company K, Thirty-seventh Illinois Infantry.

Case No. 1218. (257045). Newbern, N. C., March 14, 1862. South Mountain, Md., September 14, 1862. Brought off wounded color sergeant and colors under heavy fire of enemy. Was one of four soldiers who volunteered to determine position of enemy. While so engaged was fired upon and three companions killed, but escaped.

October 20, 1890, this man applies for medal, inclosing statement, October 10, 1890, describing service; indorsed, October 13, 1890, by Edward Ferrero, recommending this man for medal.

All company officers dead.

June 6, 1865, Maj. Gen. Ferrero, letter recommendation for position as clerk in Adjutant General's Office.

November 6, 1890, Schofield recommends medal as requested, and Assistant Secretary, having personally reviewed case, approves.

One medal issued November 14, 1890.

1218. Caruana, Orlando E., Company K, Fifty-first New York Infantry.

Case No. 1222 (247488). Williamsburg, Va., May 5, 1862. Took command of company in action, captain being wounded, other officers absent; handled it with skill and bravery.

August 20, 1890, this man applies for medal.

September 2, 1892, submits second letter, inclosing letter August 2, 1892, of Patrick H. Jones, major Thirty-seventh New York; indorsed August 26, 1892, by Col. S. B. Hayman, Thirty-seventh New York.

September 28, 1892, Schofield recommends medal for distinguished conduct at Battle of Williamsburg.

Assistant Secretary of War, having personally considered case, directs issue. One medal issued October 11, 1892.

1222. Conboy, Martin, Company B, Thirty-seventh New York Infantry.

Case No. 1165 (337928). Vicksburg, Miss., May 22, 1865. Voluntarily crossed line heavy fire Union and Confederate forces, carrying message to stop firing of one Union regiment upon another.

July 4, 1892, Congressman Springer submits letter, dated May 20, 1891, of Capt. H. Almon, Thirty-first Illinois, requesting medal for this man.

July 6, 1892, letter returned for further evidence; indorsed by Col. R. M. Pearson, Thirty-first Illinois, also by Maj. Gen. M. D. Leggett, recommending, furnished as additional evidence. Also certificate of S. H. Almon, captain, Thirty-first Illinois, August 17, 1892.

August 12, 1893, Grant issues medal for conspicuous gallantry.

One medal issued August 14, 1893.

1165. Murphy, Thomas C., Company I, Thirty-first Illinois Volunteers.

Case No. 1046 (8224-90). Willsons Creek, Mo., August 10, 1861. Bravery in action.

June 9, 1890, this man applies for medal, inclosing affidavit William J. Williams, June 4, 1890, describing incident.

Affidavit John Kelly, June 4, 1890.

June 28, 1890, Schofield recommends medal for distinguished bravery.

July 1, 1890, Grant awards as recommended.

One medal issued July 19, 1890.

1046. Immell, Lorenzo D., Company F, Second Artillery.

Case No. 1044 (499199). Blackburns Ford, Va., July 18, 1861. With a companion, refused to retreat, remained on skirmish line for some time thereafter firing upon enemy.

November 8, 1897, C. F. Rand, M. D., requests medal for this man and cites incident; affidavit November, 1897, of applicant, both of Twelfth New York.

C. F. Rand, above cited, received medal October 23, 1897, for same service.

March 22, 1898, Secretary Alger presents medal.

One medal issued April 5, 1898.

1044. Cross, James E., Company K, Twelfth New York Infantry.

Case No. 1049 (17431). Bull Run, Va., July 21, 1861. Through personal exertions under heavy fire, one gun of battery brought off field, others lost.

March 10, 1897, Lieut. A. Ames, Fifth United States Artillery, requests medal for this man; cites service.

Statement of applicant citing incident.

August 9, 1897, letter applicant to Secretary of War.

August 14, 1897, Secretary Alger presents medal.

One medal issued August 28, 1897.

1049. McGough, Owen, Company D, Fifth United States Artillery.

Case No. 1161 (395253). Vicksburg, Miss., May 22, 1863. Led command in assault on enemy's works, gained parapet; three severe wounds. Lay all day in sun; taken prisoner; leg amputated without anesthetics.

August 14, 1894, Congressman Lacey asks medal for this man.

- Joint affidavit, July 27, 1894, J. Giltner, J. W. McCoy, W. B. Yargan; August 4, 1894, W. J. Warren, all of Twenty-second Iowa Volunteers.
Report engagement by Maj. J. B. Atherton, commanding Twenty-second Iowa. August 20, 1894, Assistant Secretary Doe: "Case praiseworthy and shows honorable devotion, but not case for medal."
July 1, 1897, Congressman Hull personal application.
July 22, 1897, Secretary Alger presents medal.
One medal issued August 3, 1897.
1161. Godley, Leonidas M., Company E, Twenty-second Iowa Infantry.
- Case No. 1055 (506161). Bull Run, Va., July 21, 1861. Voluntarily accompanied commanding officer, assisted removing dead and wounded from field under heavy fire artillery and musketry.
January 14, 1898, W. H. Orcutt, chief clerk Inspector General's Office (Second Maine Infantry Volunteers) asks medal and gives recital of facts.
Col. C. D. Jameson, Second Maine Infantry, in report mentions this man (p. 357, Series I, vol. 2, R. R.).
March 22, 1898, Secretary Alger presents medal.
One medal issued April 5, 1898.
1055. Wheeler, Henry W., Company A, Second Maine Volunteers.
- Case No. 1231 (377923). Fredericksburg, Va., December 13, 1862. Voluntarily carried wounded officer off field from between lines; while doing this wounded.
November 30, 1893, this man applies for medal; indorsed by 10 signers, 3 of whom have personal knowledge of facts.
November 25, 1893, letter Col. R. Nugent recommending.
November 19, 1893, Col. Cavanaugh, Sixty-ninth New York Veterans, cites incident.
Signatures of all believed genuine with the possible exception of Dennis Sullivan—doubtful.
January 17, 1894, Secretary of War awards for distinguished gallantry.
One medal issued January 17, 1894.
1231. Donoghoe, Timothy, Company B, Sixty-ninth New York Veterans.
- Case No. 1436 (281839). Horseshoe Bend, Ky., May 10, 1863. Distinguished gallantry in leading regiment in charge on house occupied by enemy.
May 13, 1891, R. and P. record of this man stating service; extracts official records and State publications given in this report.
November 19, 1864, Gen. Parke recommends for brevet colonel.
January 19, 1865, commendatory report.
January 7, 1864, Gen. O. B. Wilcox, commendatory; December 6, 1864, same.
May 13, 1891, Grant refers papers to commanding general.
Asst. Adj. Gen. Vincent, June 11, 1891, recommends medal for distinguished bravery, gallantry, and daring in action.
Acting Secretary, June 22, 1891, awards for distinguished gallantry in action.
Record does not show how case originated.
One medal issued June 29, 1891.
1436. Cutcheon, Byron M., Twenty-seventh Michigan Infantry.
- Case No. 1162 (491785). Vicksburg, Miss., May 22, 1863. Voluntarily went between lines, exposed to enemy's fire, to rescue wounded and helpless comrade; gave him water and carried him to place of safety.
January 15, 1897, Pvt. Eppenauer, Thirty-seventh Ohio Volunteers, in affidavit, gives recital of facts and asks medal for this man.
August 28, 1897, affidavit Michael Wise, Thirty-seventh Ohio Volunteers.
February 17, 1897, affidavit Christian Eppenauer, Thirty-seventh Ohio Volunteers.
This man deserted June 24, 1865, and did not rejoin command. Charge desertion (Company E, Thirty-seventh Ohio Volunteers) removed and he has been discharged to date June 24, 1865, under act Congress approved July 5, 1864.
November 4, 1897, Secretary Alger awards.
One medal issued November 19, 1897.
1162. Hanks, Joseph, Company E, Thirty-seventh Ohio Volunteers.
- Case No. 1043 (5334). Bull Run, Va., July 21, 1861. Remained on field in command section Griffin's Battery directing fire after being severely wounded, refusing to leave field until too weak to sit upon caisson, where placed by men of his command.

March 26, 1894, this man applies for medal; cites service (Vol. 2, Ser. I, p. 345, R. R.); commended by Col. A. Porter, Sixteenth Infantry, brigade commander; Capt. C. G. Griffin; and Maj. W. F. Barry.

June 21, 1894, letter Assistant Secretary Doe to this man.

June 22, 1894, irrespective of this letter, and without solicitation from any source, based solely upon official records, medal issued for most distinguished gallantry.

One medal issued June 22, 1894.

1043. Ames, Adelbert, United States Volunteers.

Case No. 1432 (376203). Missionary Ridge, Tenn., November 25, 1863. Led regiment face severe fire; severely wounded.

October, 1893, Gen. A. Baird asks medal for this man; describes service.

Letter Capt. C. A. Cilley, October 31, 1893.

Indorsement September 29, 1863, Gen. Brannan, on this man's request for leave, commendatory.

Extracts battle reports: Col. Vanderveer, Gen. J. M. Brannan, Gen. Rosecrans, Maj. R. L. Budd, January 7, 1864.

November 9, 1895, Acting Secretary, after having personally considered case, awards for distinguished gallantry.

One medal issued November 15, 1893.

1432. Boynton, Henry V., Thirty-fifth Ohio Volunteer Infantry, United States Volunteers.

Case No. 1431 (6171 C 89). Chattanooga, Tenn., November 23, 1863. Suffering severely from wounds led regiment, inciting men to greater action by word and action until again wounded.

July 2, 1889, record of this man, giving extracts from commendatory reports; printed records of this man's service.

July 3, 1889, Secretary of War awards for bravery in battles around Chattanooga in November, 1863.

Nothing in record to show how application originated.

One medal issued July —, 1889.

1431. Barnum, Henry A., One hundred and forty-ninth New York Volunteers.

Case No. 1433 (281703). Salem Heights, Va., May 4, 1863. Took command of skirmish line and covered movement of regiment out of perilous position.

Military record of this man.

April, 1891, requests medal.

April 27, 1891, Grant's indorsement describes service.

April 28, 1891, Schofield most cheerfully recommends medal.

April 28, 1891, Grant awards.

One medal issued May 4, 1891.

1433. Butterfield, Frank G., Sixth Vermont Infantry.

Case No. 1732 (508029). Hatchers Run, Va., October 27, 1864. This man and two others, voluntarily and under fire, rescued several wounded and helpless soldiers.

February 3, 1898, Congressman Alexander asks medal for this man, inclosing two affidavits—February 13, 1895, John Haskin and R. E. Shannon, both One hundred and eighty-seventh New York Volunteers.

Secretary Alger presents medal March 22, 1898.

One medal issued April 1, 1898.

1732. Orr, Charles A., Company G, One hundred and eighty-seventh New York Volunteers.

Case No. 1734 (416322). Deep Bottom, Va., August 14, 1864. At risk of his life voluntarily went to assistance of wounded officer lying close to enemy's lines, and, under fire, carried him to place of safety.

December 31, 1894, this man applies by affidavit for medal; describes service.

Affidavit D. H. O'Brien, First Minnesota; Maj. C. F. Hausdorf, First Minnesota; and Corpl. W. C. Smith, First Minnesota.

June 5, 1895, Acting Secretary Doe makes exception to rules of the department, which require application to be submitted by some one other than a beneficiary, and presents medal for most distinguished gallantry, because evidence is so satisfactory.

One medal issued June 12, 1895.

1734. Pickle, Alonzo H., Company K, First Minnesota Infantry.

Case No. 1827 (488886). Stone River, Tenn., December 31, 1862. Voluntarily and under heavy fire, while command was falling back, rescued wounded and helpless comrade from death or capture.

July 29, 1897, Henry C. Vance requests medal for his father; incloses letter Brig. Gen. H. M. Cist, describing service.

Affidavit Gen. Henry M. Cist, August 10, 1897.

Letter Col. H. C. Corbin, August 21, 1897, describes incident.

Extract report Col. G. F. Miller, Twenty-ninth Indiana, specifically mentioning this man for efficiency and bravery and for promotion to lieutenant.

September 8, 1897, Secretary Alger presents medal.

One medal issued September 17, 1897.

1827. Vance, Wilson, Company B, Twenty-first Ohio Volunteer Infantry.

Case No. 1769 (347426). Cedar Creek, Va., October 19, 1864. Though suffering from severe wounds, rejoined regiment and led it in brilliant charge, recapturing guns of abandoned battery.

October 20, 1892, T. S. Peck, adjutant general Vermont, requests medal for this man.

Letter Col. W. S. Trueax, December 14, 1864, specifically mentions this man.

Extracts signed by Col. J. W. Kelfer, One hundredth Ohio, specifically mentions this man for gallantry.

November 8, 1892, Schofield recommends medal for distinguished gallantry.

November 15, 1892, Secretary of War having personally considered case, awards.

One medal issued December 21, 1892.

1769. Henry, William W., Company E, Tenth Vermont.

Case No. 1766 (401480). Cedar Creek, Va., October 19, 1864. Voluntarily led charge which resulted in capture of 14 prisoners; he was wounded.

Congressman J. Cornish, November 26, 1894, submits letter Col. C. Crownenshield, Second Massachusetts, November 18, 1894.

December 12, 1894, application denied.

Assistant Secretary Doe says: "If this man is entitled to a medal for leading charge, then every man who followed him should also receive one."

Letter January 19, 1895, Secretary Lamont from J. Cornish, asking him to give same personal and serious consideration, which he said he would do some time ago; consider it a personal favor if he grants this request.

No further testimony is submitted.

January 7, 1896, Secretary Lamont awards for distinguished gallantry.

One medal issued January 10, 1896.

1766. Crocker, Henry H., Second Massachusetts Cavalry.

Case No. 1762 (339916). Hawes Shops, Va., May 28, 1864. While acting as aide, voluntarily led part of line into fight and was twice wounded.

July 22, 1892, Senator McMillan requests medal for this man; cites report of Gen. Custer, July 4, 1864.

Gen. Custer's report is found in volume 36, Series I, Part I, page 820, R. R.

Affidavit Maj. J. L. Green, August 29, 1892.

August 20, 1892, affidavit Lieut. F. Nims; affidavit Musician J. Fought, August 17, 1892.

Statement August 7, 1892, of applicant.

September 28, 1892, Schofield, having recommended medal for distinguished conduct, the Assistant Secretary personally considers and awards.

One medal issued October 10, 1892.

1762. Christlancy, James I., Ninth Michigan Cavalry.

Case No. 1605 (2145 B 88). Wilderness, Va., May 5, 1864. Voluntarily rushed back into enemy's lines, took color from color sergeant, who was mortally wounded; himself wounded, carried them through fight.

March 7, 1888, this man asks medal.

November 27, 1889, submits own affidavit.

October 1, 1889, affidavit Lieut. and Adj. Thoralt, Sixty-second New York Veterans, and Corpl. M. Ditzel, Sixty-second New York, November 25, 1889.

December 13, 1889, Schofield says medal well merited; Secretary Proctor concurs and awards December 16, 1889.

One medal issued January 14, 1890.

1605. Morse, Charles E., Company I, Sixty-second New York Veterans.

Case No. 1602 (387603). Opequan Creek, Va., September 19, 1864. Carried flag to most advanced position, where, left almost alone close to enemy's lines, refused their demand to surrender, withdrew at great personal peril, and saved his flag.

April 7, 1894, Congressman Draper submits letter of H. L. Mitchell, president Thirty-sixth Massachusetts Veterans Association, requesting medal for this man; letter Gen. Dalton; affidavit Lieut. Col. Richardson, March 9, 1894; affidavit Maj. Allen, March 30, 1894; affidavit Capt. Rundlet, March 28, 1894; Lieut. Whitney, April 4, 1894; affidavit Corpl. G. W. Powers, April 11; letter C. H. Taylor, comrades.

May 4, 1894, Assistant Secretary Doe awards for most distinguished conduct. One medal issued May 10, 1894.

1602. Lunt, Alphonso M., Company F, Thirty-eighth Massachusetts Volunteers.

Case No. 1773 (379769). Laurel Hill, Va., May 8, 1864. Placed himself at head of leading brigade in charge upon enemy's breastworks; was severely wounded.

January 3, 1894, this man asks for medal; letter Gen. Warren, March 28, 1895, commendatory, also other contemporaneous extracts.

December 29, 1893, and February 7, 1894, two letters Maj. G. C. Hopper, First Michigan Infantry.

December 28, 1893, and February 12, 1894, two letters S. M. Morgan, Assistant Adjutant General.

February 17, 1894, Col. R. N. Bowerman, statement.

January 2, 1894, and February 13, 1894, two letters Col. C. E. Phelps, Seventh Maryland Volunteers.

January 8, 1894, Schofield recommends for distinguished gallantry.

January 11, 1894, Assistant Secretary Doe denied, "not for leading troops."

March 30, 1894, this man again asks for medal, and on additional evidence (above cited) Assistant Secretary Doe awards for most distinguished gallantry.

One medal issued March 28, 1894.

1773, Robinson, John C., United States Army.

Case No. 1785 (439741). Petersburg, Va., October 27, 1864. With 100 selected volunteers, assaulted and captured works of enemy, together with a number of officers and men.

January 29, 1896, Gen. J. A. Beaver asks medal for this man.

October 28, 1864, specifically mentioned in General Order 31, brigade orders.

Report October 30, 1864, of Gen. N. A. Miles, specifically mentions this man.

October 31, 1864, Gen. Miles recommends for brevet.

March 5, 1896, information desired—if this man volunteered.

March 24, 1896, recollection that he volunteered; Col. Mulholland, One hundred and forty-eighth Pennsylvania, states that this man did volunteer.

June 15, 1896, Acting Secretary Doe presents medal for most distinguished gallantry.

One medal issued June 22, 1896.

1785, Brown, Jeremiah Z., One hundred and forty-eighth Pennsylvania Volunteers.

Case No. 1783 (303546). Spottsylvania Court House, Va., May 12, 1864. Voluntarily assisted in working guns of battery, all the members killed or wounded.

February 15, 1891, September 4, 1891, October 19, 1891, describes incident in three letters and asks for medal.

October 19, 1891, Lieut. Col. Hufty recommends medal for this man in statement.

November 4, 1891, Gen. Schofield states evidence eyewitnesses lacking.

October 28, 1891, letter Lieut. E. R. Howard, Fourth New Jersey Volunteers.

May 17, 1894, applicant submits letter; affidavit Capt. Gaul, Fourth New Jersey Volunteers.

May 24, 1894, Assistant Secretary Doe awards.

One medal issued June 5, 1894.

1783. Beech, John P., Company B, Fourth New Jersey Volunteers.

Case No. 1500 (352252). Port Hudson, La., May 27, 1863. Volunteered in response to call, took part movement made on enemy's works under heavy fire, in advance general assault.

November 22, 1892, Second Lieut. J. M. Strong, Forty-ninth Massachusetts Volunteers, submits his affidavit and asks medal for this man; December 6,

1892, affidavit Pvt. Johns, Forty-ninth Massachusetts; February 16, 1893, affidavit Capt. G. R. Lingenfilter.

Special order May 26, 1863, Gen. N. P. Banks, order for assault Port Hudson; extracts report engagement, Gen. Banks, Gen. C. P. Stone, Col. W. R. Miles, Confederate States Army; Col. T. G. Kingsley, Connecticut Volunteers; Lieut. Col. Selden and Keese, One hundred and twenty-fourth New York; and Lieut. Col. F. H. Peck, Twelfth Connecticut.

September 21, 1893, grant awards for distinguished gallantry.

One medal issued September 30, 1893.

1500. Warren, Francis E., Company C, Forty-ninth Massachusetts Infantry.

Case No. 1798 (408752). Resaca, Ga., May 14, 1864. While detailed as clerk at headquarters voluntarily engaged in action at critical moment and by personal example inspired troops to repel enemy.

February 18, 1895, Gen. O. O. Howard submits letters setting forth conspicuous acts of gallantry.

March 2, 1895, not deemed sufficient.

Letter February 23, 1895, of Gen. C. H. Howard.

March 15, 1895, still deemed not sufficient.

May 15, 1895, letter Gen. G. W. Balloch, indorsed by Gen. O. O. Howard.

July 9, 1895, Assistant Secretary Doe presents medal for most distinguished gallantry.

One medal issued July 19, 1895.

1798. Sladen, Joseph A., Company A, Thirty-third Massachusetts Volunteer Infantry.

Case No. 1754 (349477). Jonesboro, Ga., September 1, 1864. Voluntarily led detached brigade in an assault upon enemy's works.

January 27, 1896, Gen. W. P. Carlin submits statement and requests medal for this man.

Letter Gen. Carlin October 1, 1864.

January 22, 1894, letter Assistant Secretary's opinion.

June 26, 1893, applicant requests medal, submits statement.

December 26, 1893, Assistant Secretary Doe acts adversely.

February 13, 1894, Gen. Schofield, no recommendation; desires to be on record for future reference.

April 15, 1896, upon facts as now presented Assistant Secretary Doe presents medal for most distinguished gallantry.

One medal issued April 22, 1896.

1754. Baird, Absalom, United States Veterans.

Case No. 1484 (376217). Port Hudson, La., May 27, 1863. Volunteered and took part in movement under heavy fire in advance of general assault.

November 23, 1892, Sergt. J. M. Strong, Forty-ninth Massachusetts, asks medal for this man in affidavit.

Certificate, F. E. Warren, corporal, Forty-ninth Massachusetts, October 28, 1893.

November 8, 1893, Grant awards for distinguished gallantry in action.

One medal issued November 25, 1893.

1484. Johns, Henry T., Company C, Forty-ninth Massachusetts Volunteers.

Case No. 1455 (417368). Between Catlett and Fairfax Stations, Va., October 13-15, 1863. Ordered to move trains without escort, armed teamsters, successfully fighting against heavy odds, bringing trains through without loss of wagon.

April 17, 1895, Lieut. Col. J. S. Smith requests medal for this man; cites service. Indorsed by Brig. Gen. H. H. Bingham.

Extract report, 1864, Gen. Rufus Ingalls; letter dated February 3, 1890, Gen. Ingalls.

Report G. K. Warren, page 246, volume 29, Part I, R. R., specifically mentions this man.

May 15, 1895, Assistant Secretary Doe presents medal for most distinguished gallantry in action.

One medal issued May 20, 1895.

1455. Batchelder, Richard N., United States Army.

Case No. 1453 (297340). Gettysburg, Pa., July 3, 1863. Distinguished personal gallantry in leading his men forward at critical period in contest.

September 15, 1891, T. S. Peck, Adj. Gen. Vt., requests medal for this man; cites Maj. Gen. Meade's letter November 1, 1866; certificate Gen. Webb attached thereto.

September 19, 1891, Schofield recommends medal for distinguished personal gallantry.

Acting Secretary of War, having personally reviewed case, awards.

One medal issued September 28, 1891.

1453. Webb, Alexander S., United States Veterans.

Case No. 1456 (287166). Near Warrenton, Va., July 28, 1863. Defended division train against vastly superior force; severely wounded, remained in saddle 20 hours after, until he brought train through in safety.

June 10, 1891, Lieut. W. Raycroft requests medal for this man; describes service.

Affidavit July 12, 1881, L. A. Grant, brigade commander; affidavit July 19, 1881, Lieut. Raycroft.

August 6, 1891, Schofield recommends medal for distinguished service and gallant conduct.

Acting Secretary of War August 8, 1891, awards.

One medal issued August 17, 1891.

1456. Clark, John W., Sixth Vermont Infantry.

Case No. 1474 (7944A 84). Chancellorsville, Va., May 2, 1863. Voluntarily and under heavy fire advanced toward enemy's lines and secured valuable information.

October 24, 1884, in affidavit, this man requests medal.

Recommended May 23, 1863, by brigadier commander for brevet for bravery. Brannigan, Buhrman, and Lutz all received medals for same service.

Report T. Lincoln.

Identity of applicant established.

Secretary of War awards, September 8, 1884.

One medal issued November 26, 1884.

1474. Glion, Joseph, Company A, Seventy-fourth New York Volunteers.

Case No. 1454 (295961). Gettysburg, Pa., July 3, 1863. Led Second Battalion of regiment in daring charge.

August 22, 1891, T. S. Peck, adjutant general Vermont, requests medal for this man; cites contemporaneous records (pp. 1013, 1015, 1017, vol. 27, Series I, Pt. I. R. R.).

August 29, 1891, Grant awards for distinguished gallantry.

One medal issued September 8, 1891.

1454. Wells, William, First Vermont Cavalry.

Case No. 1452 (295969). Gettysburg, Pa., July 3, 1863. Rapidly assembled regiment and charged enemy's flank; changed front under heavy fire, charged, and destroyed Confederate brigade; all with new troops in their first battle.

August 22, 1891, T. S. Peck, adjutant general Vermont, requests medal for this man; cites contemporaneous report (vol. 27, Series I, Pt. I, R. R., pp. 156, 258, 249, 353, and 477 of vol. 11, Series I, Pt. II).

August 29, 1891, Grant awards for distinguished gallantry.

One medal issued September 8, 1891.

1452. Venzey, Wheelock G., Third and Sixteenth Vermont Volunteers.

Case No. 1471 (451694). Port Hudson, La., May 27, 1863. Volunteered in response to call; under heavy fire, advanced and assisted in filling fascines in ditch which presented serious obstacle to troops attempting to take works of enemy by assault.

June 3, 1896, Congressman Wright submits application of Sergt. Parker for medal for this man; describes incident.

Affidavit May, 1896, Maj. C. T. Plunkett and First Lieut. Joseph Tucker, both Forty-ninth Massachusetts.

June 15, 1896, Assistant Secretary Doe presents medal for most conspicuous gallantry in action.

One medal issued June 22, 1896.

1471. Deland, Frederick N., Forty-ninth Massachusetts Infantry.

Case No. 1472 (489748). Gettysburg, Pa., July 1-3, 1863. Voluntarily took rifle, served as soldier in ranks during first and second day of battle. Went into enemy's lines at night, under sharp fire, rescued wounded comrade.

August 9, 1897, Congressman Grosvenor asks medal and submits affidavit of Maj. Higgins, Seventy-third Ohio, July 10, 1897.

Letters Col. S. H. Hurst, Col. O. Smith, Capt. B. F. Stone, all Seventy-third Ohio.

August 14, 1897, Secretary Alger presents medal.

One medal issued September 11, 1897.

1472. Enderlin, Richard, Seventy-third Ohio Volunteers.

Case No. 1470 (342964). The Mine, Petersburg, Va., July 30, 1864. One of first to enter enemy's works, where, after colonel, major, and one-third company officers had fallen, gallantly assisted in rallying and saving remnant of command.

August 20, 1892, Col. D. Bates, 30 U. S. C. T., applies for medal for this man; describes service.

September 28, 1892, Schofield recommends medal for distinguished bravery. Assistant Secretary, after personally considering, awards.

One medal issued October 17, 1892.

1470. Davidson, Andrew, 30 U. S. C. T.

Case No. 1445 (381390). Black River Bridge, Miss., May 17, 1863. Voluntarily led company in charge; was first to enter enemy's works, taking number prisoners.

January 22, 1894, Col. Kelgwehn, Forty-ninth Indiana, describes action and recommends medal for this man.

January 15, 1894, affidavit N. P. Gilliat, comrade, Forty-ninth Indiana Cavalry.

February 1, 1894, Assistant Secretary Doe awards for most distinguished gallantry.

One medal issued February 12, 1894.

1445. Kendall, William W., Company A, Forty-ninth Indiana Volunteers.

Case No. 1469 (438391). Walkers Ford, Tenn., December 2, 1864. Voluntarily passed through enemy's lines under fire; conveyed battalion, in perilous position, information which enabled it to reach point in safety.

January 16, 1896, Congressman Henry forwards petition Col. T. H. Butler, Fifth Indiana Cavalry, asking medal for this man.

Affidavits Russell P. Finney and A. Idlewine February, 1896, comrades, all Fifth Indiana Cavalry.

Assistant Secretary Doe presents medal for most distinguished gallantry in action.

One medal issued March 9, 1896.

1469. Bruner, Louis J., Company H, Fifth Indiana Cavalry.

Case No. 1490 (591667). Knoxville, Tenn., November 20, 1863. Voluntarily accompanied small party to destroy buildings within enemy's lines whence sharpshooters had been firing; disregarded order to retire, remained and completed firing of buildings; this at imminent risk of life.

March 17, 1900, Irwin Shepard requests medal for this man; indorsed by Congressman Eddy.

Statement of applicant sworn to March 22, 1900.

April 2, 1900, Assistant Secretary Melkejohn awards medal.

One medal issued April 17, 1900.

1490. Kelley, Andrew J., Company E, Seventeenth Michigan Infantry.

Case No. 1450 (376233). Maryes Heights, Va., May 3, 1863. Critical moment, head column about to be crushed, pushed forward, pierced enemy's works, and turned their flank.

September 29, 1893, Lieut. J. R. Johnson makes application for medal for this man.

Affidavit J. R. Johnson November, 1893.

Extract contemporaneous reports Gen. John Sedgwick specifically mentions this man, also report Maj. George W. Dorson, commanding Sixty-fifth Pennsylvania.

November 9, 1893, Grant awards for distinguished gallantry.

One medal issued November 25, 1893.

1450. Shaler, Alexander, Sixty-fifth New York Volunteers.

Case No. 1336 (20838). Cedar Mountain, Va., August 9, 1862. Voluntarily carried order at great risk of life, face fire grape and canister; wounded.

December 3, 1891, this man requests medal and describes service.

January 6, 1892, adverse action; suggest evidence eyewitnesses and application of disinterested person.

Affidavit Joseph Graff December 9, 1892, Ninth Infantry.

Affidavit Levi Lawrence, first sergeant, United States Infantry.

Letter applicant dated July 18, 1892.

Statement Col. T. M. Anderson September 26, 1893, recommends medal, describes incident.

October 19, 1893, Schofield recommends medal for exceptional gallantry.

Grant awards October 21, 1893.

One medal issued November 1, 1893.

1336. Younker, John L., Company A, Second Battalion, Twelfth Infantry.

Case No. 1439 (122319). Winchester, Va., June 14, 1863. Led command over stone wall, where he was wounded.

February 6, 1890, this man requests medal, cites page 80, Series I, volume 27, Part II, R. R., in which he is specifically mentioned.

February 24, 1890, Schofield states action well merits medal.

Secretary of War, having personally considered case, concurs and awards.

One medal issued March 6, 1890.

1439. Durham, James R., Company E, Twelfth West Virginia Volunteers.

Case No. 1291 (340943). Near Sharpsburg, Md., September 19, 1862. Took command of such soldiers as he could get, attacked and captured battery four guns; also captured Confederate soldier while on a reconnoissance.

August 1, 1892, T. S. Peck, adjutant general of Vermont, requests medal for this man; incloses letter Capt. E. W. Hindes, indorsed by Lieut. Col. W. W. Ribley, United States Sharpshooters.

September 28, 1892, Schofield recommends award for distinguished conduct.

September 29, 1892, Assistant Secretary, having personally considered this case, awards.

One medal issued October 12, 1892.

1291. Peck, Cassius, Company F, First United States Sharpshooters (Vermont company).

Case No. 1499 (376223). Port Hudson, La., May 27, 1863. Volunteered in response to call, took part in movement on enemy's works, under heavy fire, in advance general assault.

February 28, 1893, affidavit Senator Warren, corporal, Forty-ninth Massachusetts Volunteers, requests medal for this man; describes incident.

Affidavit September 26, 1893, Pvt. H. T. Johns, Forty-ninth Massachusetts.

November 8, 1893, L. A. Grant awards for distinguished gallantry.

One medal issued November 25, 1893.

1499. Strong, James N., Company C, Forty-ninth Massachusetts Volunteers.

Case No. 1496 (439796). Chickamauga, Ga., September 20, 1863. While acting as volunteer aid, critical moment when lines broken, rallied fugitives to hold ground, under heavy fire, long enough to effect escape of wagon train.

June 18, 1902, this man submits E. Root's affidavit; June 19, 1902, affidavit of himself; June 18, 1896, extract speech C. A. Dana, Lotus Club.

Medal recommended by Gen. Young's board June 26, 1902; approved by Secretary of War and medal awarded for gallantry in action.

One medal issued July 8, 1902.

1496. Porter, Horace, Ordnance Department, United States Army.

Case No. 1492 (505997). Rappahannock Station, Va., November 7, 1863. Voluntarily joined storming party with 50 men, and by dash and gallantry rendered effective service.

January 19, 1898, Congressman Burleigh asks medal, inclosing letter, January 7, 1898, Gen. Charles Hamlin, chairman Maine Gettysburg Association.

Gen. H. G. Wright, December 14, 1863, extract report of engagement.

Gen. D. A. Russell, November 16, 1863, specifically mentions this man; also Maj. George Fuller's report, November, 1863.

March 28, 1898, Secretary Alger presents medal.

One medal issued April 5, 1898.

1492. Morrill, Walter G., Twentieth Maine.

Case No. 1243 (478422). Fair Oaks, Va., June 1, 1862. Removed severely wounded officers and soldiers from field while under heavy fire, exposing himself beyond call of duty, furnishing example most distinguished gallantry.

May 18, 1894, Gen. N. Kimball asks medal for this man; describes service.

August 13, 1894, Surgeon General furnishes statement of service on question as to station.

July 7, 1894, request for some distinct act of personal bravery or self-sacrifice.

Gen. Kimball submits another letter, dated July 9, 1894, requesting reconsideration.

July 7, 1894, evidence considered insufficient; August 24, 1894, previous action adhered to; August 24, 1894, further investigation of case does not warrant presentation medal, and previous action will stand.

Communication Gen. O. O. Howard, April 30, 1897, and supplementary report submitted October 25, 1894.

July 16, 1897, Secretary Alger on additional testimony presents medal for most distinguished gallantry.

One medal issued July 21, 1897.

1243. Grant, Gabriel, United States Volunteers.

Case No. 1242 (393570). Fredericksburg, Va., December 13, 1862. With assistance another soldier brought wounded comrade within lines under heavy fire.

July 13, 1894, Capt. G. E. Pingree, Eleventh New Hampshire, asks medal for this man; describes incident.

Affidavit additional eyewitnesses required; affidavit Richard Sullivan submitted September 17, 1894, eyewitness.

On additional evidence Assistant Secretary of War Doe presents medal for most conspicuous gallantry.

One medal issued December 14, 1894.

1242. Goodall, Francis H., Company G, Eleventh New Hampshire Volunteer Infantry.

Case No. 1240 (428062). Fair Oaks, Va., May 31, 1862. Continued fighting, although wounded, until he fainted from loss of blood.

August 14, 1895, William Gage asks medal for this man; submits newspaper clipping.

Maj. J. H. Richardson, Seventh Michigan, report 1862, page 811, volume 11, Part I. Rebellion Records, specifically mentions this man for gallantry.

October 17, 1895, Assistant Secretary Doe awards for most distinguished gallantry.

One medal issued October 24, 1895.

1240. French, Samuel S., Company E, Seventh Michigan Volunteers.

Case No. 1239 (29806-92). Stone River, Tenn., December 31, 1862. Voluntarily went to front under heavy fire, picked up field officer, wounded, carried to place of safety.

April 14, 1892, Col. Henry Douglass, Eighteenth Infantry, asked medal for this man; describes incident.

May 13, 1892, Schofield: "Act chivalrous, worthy mention in general order, but not distinguished in class for medal."

February 2, 1894, Gen. Gibbon asks, if compatible with rules, medal, and Assistant Secretary Doe awards February 7, 1894.

One medal issued February 17, 1894.

1239. Freeman, Henry B., Sixteenth United States Infantry.

Case No. 1236 (427493). Fair Oaks, Va., May 31, 1862. Although wounded, continued fighting until, fainting from loss of blood, carried off field.

August 2, 1895, Gen. Parkhurst submits N. G. Cooper's application for medal for this man; newspaper clipping quoting Maj. J. H. Richardson's report of 1862 (Seventh Michigan), page 811, Volume XI, Part I, Rules and Regulations, specific mention for gallantry.

August 10, 1895, Assistant Secretary Doe presents for most distinguished gallantry.

One medal issued August 17, 1895.

1236. Forman, Alexander A., Company C, Seventh Michigan Infantry.

Case No. 1835 (381577). Wilderness, Va., May 6, 1864. Running ahead of line under fire, shot color bearer, thus contributing to success of attack.

Congressman Serenton submits, January 25, 1894, letter of Maj. C. M. Coningham, One hundred and forty-third Pennsylvania Volunteers, asks medal, incloses statement January 25, 1894; Maj. E. S. Osborne; affidavits February 27, 1894; Lieut. O. E. Vaughn; Pvt. C. Blavitt, One hundred and forty-third Pennsylvania Volunteers.

April 12, 1894, Assistant Secretary Doe awards medal for most distinguished gallantry.

One medal issued April 24, 1894.

1835. De Lacey, Patrick, One hundred and forty-third Pennsylvania Volunteers.

Case No. 1498 (439973 and 352856). Gettysburg, Pa., July 2, 1863. Voluntarily took advanced position on skirmish line for the purpose of ascertaining location of Confederate sharpshooters, under heavy fire, held position until company went back to main line.

January 30, 1896, Lieut. Col. C. P. Wickham, Fifty-fifth Ohio, requests medal for this man; affidavits of five comrades: Bailey, Palmer, Mesnard, J. A. Brown, and Charles Stacey, March, April, and May, 1896.

June 17, 1896, Assistant Secretary Doe presents for most distinguished gallantry.

One medal issued June 23, 1896.

1498. Stacey, Charles, Company D, Fifty-fifth Ohio Volunteers.

Case No. 1261 (484117). On the Peninsula, Va., June 5, 1862. Under fire between lines two armies, voluntarily gave his horse to Engineer officer, enabling officer to escape with valuable papers in his possession.

June 19, 1897, this man applies for medal, based on letter of Brig. Gen. John Dickinson, acting adjutant general Army of Potomac; sworn to by Gen. Dickinson July 26, 1897.

July 26, 1897, Secretary Alger presents medal.

One medal issued August 2, 1897.

1261. Hunterston, John C, Company B, Third Pennsylvania Volunteer Cavalry.

Case No. 1248 (1194 C 87). Williamsburg, Va., May 5, 1862. Bristoe Station, Va., August 27, 1862. Manassas, Va., August 29-30, 1862. Carried wounded comrade off field in face of enemy; severely wounded and taken prisoner. Went into fight although severely disabled. Volunteered to search woods for wounded.

March 20, 1888, Congressman Fuller asks medal for this man.

Affidavit Corpl. Plumb, March, 1888.

Statement Capt. H. J. Bliss, company commander, September 30, 1862, sworn to as copy of original.

Letter applicant, March, 1888.

March 6, 1888, affidavit of applicant; affidavit Pvt. Wilson, New York Volunteers.

April 6, 1888, Gen. Sheridan recommends that no medal be awarded; ordinary duty requires no special recognition.

April 11, 1888, Secretary of War directs award for gallant conduct.

One medal issued June 8, 1888.

1248. Haight, John H., Company G, Seventy-second New York Infantry.

Case No. 1245 (20759-93). Antietam, Md., September 17, 1862. Formed columns under heavy fire and put them into position.

July 5, 1893, Gen. Franklin recommends this man as a worthy person for a medal.

Statement November 13, 1866, signed by Gen. Franklin, United States Army.

October 31, 1893, Gen. M. T. McMahon recommends medal for this man.

November 4, 1893, indorsed by C. E. Pratt, colonel Thirty-first New York Volunteers.

November 28, 1893, Schofield recommends for distinguished gallantry.

December 1, 1893, Grant awards.

One medal issued December 13, 1893.

1245. Greene, Oliver D., United States Army.

Case No. 1237 (451594). Near Harpers Ferry, Va., September 13, 1862. Voluntarily gathered men of battery together, remanned guns ordered abandoned, opened fire, kept up same until enemy surrendered.

June 1, 1896, Senator Cockrell asks medal for this man, supported by two affidavits April 27 and 29, 1896, of L. V. Stogsdall and M. Newby, comrades.

September, 1896, statement Pvt. Needer, Fifteenth Indiana Battery.

Affidavits Livengood and Joel Smith, all of same purport.

October 26, 1896, Assistant Secretary Doe, on additional testimony, awards.

One medal issued November 2, 1896.

1237. Fout, Frederick W., Fifteenth Indiana Battery.

Case No. 1266 (361072). Fredericksburg, Va., December 13, 1862. Conspicuous gallantry in battle in which he was severely wounded.

March 17, 1893, Capt. J. Stewart recommends medal for this man.

Affidavit March 23, 1893, of applicant; statement March 23, Capt. W. S. Hogarty, and extracts contemporaneous reports, Gen. Doubleday, W. W. Dudley, Gen. Gibbon, and Lieut. James Stewart.

August 18, 1893, grant awards for conspicuous gallantry.

One medal issued August 28, 1893

1266. Johnson, John, Company D, Second Wisconsin Infantry.

Case No. 1254 (8567-91). Antietam, Md., September 17, 1862. Fredericksburg, Va., December 13, 1862. Distinguished gallantry in actions while attached to Battery B, Fourth United States Artillery; lost left arm at Fredericksburg.

May 25, 1891, this man asks for a medal.

Report January 14, 1895, James Stewart, first lieutenant, Fourth Artillery.

August 13, 1896, letter, Jefferson C. Davis.

Adj. Gen. Vincent recommends medal, in absence commanding general, for distinguished gallantry.

Assistant Secretary, having personally considered this case, awards June 13, 1891.

One medal issued June 22, 1891.

1254. Hogarty, William P., United States Army, Company D, Twenty-third New York Infantry.

Case No. 1712 (449767). Ashbys Gap, Va., July 19, 1864. At great personal risk rescued wounded captain and carried him from field to place of safety.

May 10, 1896, Congressman Brewster requests medal for this man.

Letter Charles Fitzsimmons, late colonel, Twenty-first New York Cavalry, February 3, 1896.

Letter Capt. Truesdall, February 25, 1896.

March 19, 1896, letter Sergt. E. E. Dodds.

Affidavit Sergt. T. B. Collins, October, 1893.

Affidavit Robert Crawford; all of Twenty-first New York Cavalry.

Extract report Gen. Duffey, volume 37, page 321 R. R., describes engagement in which one-fifth of men and one-half the officers were killed or wounded.

Assistant Secretary Doe, June 6, 1896, awards for most distinguished gallantry.

One medal issued June 11, 1896.

1712. Dodds, Edward E., Company C, Twenty-first New York Cavalry.

Case No. 1560 (424496). Gettysburg, Pa., July 2, 1863. Rescued his wounded captain from between the lines.

June 19, 1895, Capt. John Bigelow, commanding Ninth Massachusetts Light Artillery, requests medal, describing incident, company commander, and eyewitness.

July 9, 1895, returned for testimony of another eyewitness.

Affidavit, August 3, 1895, Lieut. E. B. Dow, commanding Sixth Massachusetts Battery.

August 12, 1895, Acting Secretary Doe awards for most distinguished gallantry.

One medal issued August 16, 1895.

1560. Reed, Charles W., Ninth Battery, Massachusetts Light Artillery.

Case No. 1557 (394707). Raccoon Ford, Va., November 27, 1863. After command had retreated, this soldier voluntarily and alone returned to assistance of comrade and rescued him from hands three armed Confederates.

July 14, 1894, Lieut. W. G. Peckham submits joint affidavit of himself and Capt. Dickinson, sworn and subscribed to by Capt. Dickinson and applicant, describing incident.

Assistant Secretary Doe, August 14, 1894, awards for distinguished gallantry. One medal issued August 20, 1894.

1557. Packard, Loron F., Company E, Fifth New York Cavalry.

'Case No. 1800 (491689). The Wilderness, Va., May 5, 1864. Although assigned to other duty, voluntarily joined his regiment in charge and fought with it until severely wounded.

August 19, 1897, this man applies by affidavit for medal; indorsed and recommended by Gen. Butterfield, "baby of the Eighty-third Pennsylvania."

Six affidavits, October, 1897, describe incident—Capt. A. J. McKee, Sergt. H. Raymond, M. J. Olds, Sergt. E. Ceder, Corpl. E. R. Koss, O. S. Kinnear, all of Eighty-third Pennsylvania Volunteers.

August, 1897, petition signed by 24 comrades.

November 1, 1897, Secretary Alger presents medal.

One medal issued November 19, 1897.

1800. Swap, Jacob E., Company H, Eighty-third Pennsylvania Volunteer Infantry.

Case No. 1789 (391977). Flint River, Ga., August 30, 1864. Voluntarily led troops in charge over burning bridge.

May 1, 1894, Sergt. W. Small, Tenth Ohio Cavalry, requests medal and describes incident.

Letter Gen. O. O. Howard March 19, 1899.

May 3, 1894, affidavits eyewitnesses called for.

July 2, 1894, Assistant Secretary Doe states that "this man did his duty promptly, energetically, and persistently;" records show most gallant and meritorious service, but not within spirit of law for medal.

July 13, 1894, Gen. O. O. Howard submits statement, and June 23, 1894, Senator Hawley submits extracts contemporaneous reports: Col. Kilpatrick, June 10, 1863; Gen. Howard, September 17, 1864, specific mention of this man; W. W. Lane, division commander, July 18, 1864; letter Thomas J. Jordan, commanding brigade, April 3, 1865; and Gen. S. D. Adkin, all commendatory and specific.

August 22, 1894, Assistant Secretary Doe presents medal for most distinguished service.

One medal issued August 29, 1894.

1789. Estes, Llewellyn G., Maine Volunteer Cavalry.

Case No. 1709 (458177). New Market, Va., May 15, 1864. Rallied few men to support of colors; bore them to place of safety. Went back 100 yards; face enemy; carried wounded man from field.

September 8, 1896, Capt. G. M. White, First West Virginia Infantry Volunteers, asks medal for this man, describing incident.

Affidavit Pvt. Russell September 4, 1896.

Editorial Cumberland News, January, 1893, describes incident; written by Col. H. J. Johnston, adjutant, First West Virginia.

October 26, 1896, Assistant Secretary Doe awards.

One medal issued November 20, 1896.

1709. Burns, James M., Company B, First West Virginia Infantry.

Case No. 1805 (458057). Natchitoches, La., April 19, 1864. Seeing Confederate officer in advance of his command, charged him alone, unaided, and captured him.

September 3, 1896, C. T. Emery, secretary, Third Massachusetts Cavalry Association, asks for medal for this man, inclosing statement Maj. T. L. Noyes, Forty-first Massachusetts Infantry Volunteers.

October 26, 1896, evidence eyewitnesses required.

J. M. W. Emery, Third Massachusetts, affidavit.

Statement and certificate November 20, 1896, Maj. Noyes.

Affidavit November 8, 1896, Robert King, eyewitness.

November 14, 1896, Assistant Secretary Doe awards for distinguished gallantry.

One medal issued November 20, 1896.

1805. Elliott, Russell C., Company B, Third Massachusetts Cavalry.

Case No. 1801 (334870). Resaca, Ga., May 15, 1864. Voluntarily rode between lines while two brigades Union troops were firing into each other, and stopped the firing.

May 17, 1892, Gen. Butterfield asks medal for this man; indorsed by Gen. Sickles June 3, 1892, both eyewitnesses.

Mentioned in numerous contemporaneous reports; extracts noted.

June 23, 1892, Schofield recommends for distinguished conduct, and Assistant Secretary awards June 23, 1892.

One medal issued June 30, 1892.

1801. Tremain, Henry E., United States Volunteers.

Case No. 1803 (402903). Spottsylvania, Va., May 12, 1864. While serving as engineer officer voluntarily exposed himself to enemy's fire.

December 15, 1894, Congressman Marvin submits petition of 35 survivors One hundred and twenty-fourth New York Infantry.

Two affidavits April, 1894: Capt. J. A. Grier and Capt. Charles B. Wood, both One hundred and twenty-fourth New York Infantry.

Two letters: M. D. Stivers, M. C., and Gen. Sickles.

December 21, 1894, Assistant Secretary Doe awards.

One medal issued January 2, 1895.

1803. Wisner, Lewis S., Company K, One hundred and twenty-fourth New York Volunteer Infantry.

Case No. 1818 (478046). Petersburg, Va., July 30, 1864. Having captured enemy's line, saw four of them retiring to second line; advanced alone, compelled their surrender, regained regiment with four prisoners.

April 23, 1897, Loyal Veterans' Legion asks medal; four affidavits April, 1897, of comrades—McRoberts, W. F. Smith, John Webb, M. Parker; letter H. J. Swift.

July 13, 1897, Secretary Alger awards.

One medal issued July 20, 1897.

1818, Swift, Harlan J., Company H, Second New York Mounted Reserves.

Case No. 1819 (180743). Near Fort Gates, Fla., April 1, 1864. Volunteer in surprise and capture of enemy's picket.

January 16, 1888, this man asks for medal, describing services; returned February 24, 1888, evidence of eyewitnesses required.

March 28, 1889, letter Capt. S. P. Smith, One hundred and fifteenth New York Volunteers, indorsed by G. S. Batcheller.

April 22, 1890, Congressman J. Sanford incloses application of this man.

Extract General Orders, No. 19, April 3, 1864, Gen. Hatch's thanks to party.

April 25, 1890, Schofield recommends, and April 26, Secretary of War, having personally reviewed case, awards.

One medal issued May 2, 1890.

1819, Thackrah, Benjamin, Company H, One hundred and fifteenth New York Volunteers.

Case No. 1806 (535308). Newnan, Ga., July 29, 1864. Nearly surrounded by enemy, captured Confederate soldier; with aid of comrade later captured four others; disarmed five; brought them all into Union lines.

November 24, 1898, Congressman Henderson forwards affidavit of this man and nine letters of comrades of Fifth Iowa Volunteers.

December 29, 1898, Secretary Meiklejohn awards for most distinguished gallantry.

One medal issued January 13, 1899.

1806, Healey, George W., Company E, Fifth Iowa Cavalry Volunteers.

Case No. 1719 (471371). Drewrys Bluff, Va., May 16, 1864. Retreating with regiment, repulsed, voluntarily returned face enemy, rescued wounded officer.

March 3, 1897, Congressman Russell forwards letter and affidavit Lieut. A. S. Dutton, Twenty-first Connecticut Infantry, dated January, 1897; affidavit First Sergt. Tibbetts, February, 1897; affidavit, February 11, 1897, Pvt. Avery, Twenty-first Connecticut.

July 16, 1897, Secretary Alger presents medal.

One medal issued July 13, 1897.

1719, Gray, Robert A., Twenty-first Connecticut Volunteers.

Case No. 1823 (505413). Peach Tree Creek, Ga., July 20, 1864. With conspicuous coolness and bravery rallied his men under severe attack, reformed broken ranks, repulsed attack.

September 4, 1897, Capt. R. P. Dewey, One hundred and fourth Illinois Volunteers, in affidavit asks medal for this man.

Affidavits: September 25, 1897, Capt. W. Strawn, One hundred and fourth Illinois; September 28, 1897, William Proctor; November 16, 1897, Capt. J. M. Wright.

Letter October 11, 1897, Lieut. W. W. Calkins.

Letter December 30, 1897, Gen. A. G. McCook, indorsed by Gen. W. P. Carlin, recommending medal.

March 22, 1898, Secretary Alger awards.

One medal issued April 5, 1898.

1823, Hapeman, Douglas, One hundred and fourth Illinois Volunteer Infantry.

Case No. 1821 (368090). Boydton Plank Road, Va., October 27, 1864. Checked rout and rallied troops in face terrible fire; severely wounded.

June 1, 1893, this man applies for medal.

Extract report Gen. R. de Trobriand specifically mentions this man.

Col. R. E. Biles, Ninety-ninth Pennsylvania, October 18, 1866, recommends brevet.

Maj. Gen. Mott states: "I know this officer is entitled to a brevet for gallantry at Boydton Plank Road."

August 24, 1893, L. A. Grant requests disinterested application and specific statement.

September 21, 1893, Lieut. S. Shoup, Second United States Sharpshooters, eyewitness; statement and request.

September 22, 1893, Grant awards.

One medal issued September 29, 1893.

1821, Bonnaffon, Sylvester, jr., Company G., Ninety-ninth Pennsylvania Volunteers.

Case No. 1807 (388168). Fort Harrison, Va., September 30, 1864. Led small flanking party; great risk; captured large number prisoners.

April 24, 1894, Col. E. M. Cullen, Ninety-sixth New York Volunteers, asks medal; describes incident; favorably indorsed by Lieut. Col. G. V. Henry, Seventh Cavalry, not present.

April 25, 1894, Capt. J. J. Underbill, Fortieth Massachusetts.

Gen. Stannard report, 1864, specifically mentions and recommends promotion.

May 25, 1894, Assistant Secretary Doe awards for personal gallantry.

One medal issued June 13, 1894.

1807, Hubbell, William S., Company A, Twenty-first Connecticut Infantry.

Case No. 1522 (385587). Missionary Ridge, Tenn., November 25, 1863. Seized a musket and joined in charge; severely wounded.

April 3, 1894, Maj. Charles Hipp, Thirty-seventh Ohio, asks medal and describes incident.

Congressman Richey forwards application.

At reunion, 1894, Thirty-seventh Ohio, asks for medal and describes incident.

Affidavit John Dorn, J. H. Puck.

May 4, 1894, Assistant Secretary denies; evidence not considered sufficient.

January 26, 1895, Comrade R. H. Cochran letter; also N. B. Baker, Capt. Rosenbaum, Comrade Schmidt.

March 9, 1895, full reply Acting Secretary to Mr. Cochran.

Additional letters March and April, 1895, Cochran, ex-Congressman Haines, Col. George E. Welles, Sixty-eighth Ohio, and letter M. D. Bacon, May 8, 1895.

Letter Maj. Charles Hipp.

Basis award in this case same as that in 1562 (below).

August 7, 1895, evidence having been supplied, Acting Secretary Doe awards.

One medal issued August 13, 1895.

1522. Kountz, John S., Company G, Thirty-seventh Ohio Volunteers.

Case No. 1562 (432502). Missionary Ridge, Tenn., November 25, 1863. Rescued wounded comrade under terrific fire.

October 28, 1895, Congressman Southard incloses application Maj. Charles Hipp, Thirty-seventh Ohio, for medal for this man.

Certificate Capt. Rosenbaum, Thirty-seventh Ohio; Comrade J. H. Puck, who describes incident.

November 5, 1895, Acting Secretary Doe awards for most distinguished gallantry.

One medal issued November 9, 1895.

1562. Schmidt, William, Company G, Thirty-seventh Ohio Volunteer Infantry.

Case No. 1723 (367973). North Fork, Va., September 26, 1864. Voluntarily carried severely wounded comrade out of heavy fire of enemy.

June 16, 1893, this man applies for medal inclosing affidavit, October 24, 1892. Sergt. Lyman, Ninth New York Cavalry; October 14, 1892, affidavit by himself.

Adjutant General's records show Lyman was wounded 1864.

September 21, 1893, Assistant Secretary Grant awards.

One medal issued September 26, 1893.

1723. Hills, William G., Company E, Ninth New York Cavalry.

Case No. 1577 (2726 A (RA) 89). Millerstown, Pa., July, 1863. Bravery in attempt to carry a communication through enemy's lines; also rescued an officer from hands of enemy.

March 22, 1889, this man asks for medal; quotes extract of report Lieut. N. Nolan, Sixth Cavalry, dated July 27, 1863, in which he is specifically mentioned.

April 5, 1889, approved by major general commanding, and Secretary of War awards April 19, 1889.

One medal issued April 23, 1889.

1577. Schwenk, Martin, Company B, Sixth Cavalry.

Case No. 1574 (506789). Knoxville, Tenn., November 20, 1863. With one companion voluntarily carried through enemy lines important dispatches from Grant to Burnside; brought back reply. Comrade's horse killed; taken prisoner.

January 24, 1898, Congressman Spaulding forwards his letter.

December 27, 1870, letter Gen. I. Garrard; letter Gen. Cutcheon, December 28, 1885.

Indorsement contemporaneous correspondence, 1865-66.

Gen. Wilcox recommends that as man is not promoted he should receive \$500; \$1,000 offered to citizen who had refused.

Letter 1574, dated January 20, 1898.

Letter 1574, dated December 26, 1865, to Senator Chandler.

March 29, 1898, Secretary Alger awards.

One medal issued April 5, 1898.

1574. Hadley, Cornelius M., Company F, Ninth Michigan Infantry.

Case No. 1715 (433044). Honey Hill, S. C., November 30, 1864. Under heavy fire, carried his wounded commanding officer from the field.

August 26, 1895, Col. A. S. Hartwell, Fifty-fifth Massachusetts, requests medal.

Contemporaneous report brigadier commander (Hartwell), volume 44, pages 430-432, specifically describes incident.

November 13, 1895, Assistant Secretary Doe awards for most distinguished gallantry.

One medal issued November 18, 1895.

1715. Ellsworth, Thomas F., Fifty-ninth Massachusetts Infantry.

Case No. 1575 (380326). Bayou Teche, La., January 14, 1863. Voluntarily carried important message through heavy fire of enemy.

January 10, 1894, Peck, Adjutant General of Vermont, requests medal and incloses certificates Gen. S. Thomas, Colonel Ninth Vermont, dated November 27, 1893; First Lieut. F. E. Smith, Eighth Vermont, same date, and Col. H. F. Dutton, Eighth Vermont, November 28, 1893.

January, 1894, Assistant Secretary Doe awards.

One medal issued January 29, 1894.

1575. Howard, Squire E., Eighth Vermont.

Case No. 1564 (317895). Carsville, Va., May 15, 1863. Ordered to retreat, turned back, rushed to front, faced heavy fire enemy in endeavor to rescue wounded comrades; remained until overpowered and taken prisoner.

November 28, 1891, 21 officers and men, survivors Sixth Massachusetts, requests medal for this man.

March 11, 1892, Schofield recommends and Secretary of War personally considered case and awarded.

One medal issued March 22, 1892.

1564. Sweatt, Joseph S. G., Company C, Sixth Massachusetts.

Case No. 1576 (338668). Gettysburg, Pa., July 2, 1863. Voluntarily delivered order in face heavy fire from enemy.

July 12, 1892, Senator Gray forwards his own statement and affidavit of C. B. Tanner and W. T. Seville, June, 1892.

Specifically mentioned in contemporaneous extracts reports of Maj. T. G. Ellis, Fourteenth Connecticut.

July 15, 1892, Schofield considers act conspicuous gallantry, worthy highest praise, and July 18, 1892, Acting Secretary awards.

One medal issued July 22, 1892.

1576. Postles, James Parke, First Delaware Volunteers.

Case No. 1556 (494100). Winchester, Va., June 14, 1863. With one companion voluntarily went front Union line under heavy fire enemy, carried back helpless wounded comrade, saving from death or capture.

February 4, 1898, Lieut. Col. M. M. Granger, One hundred and twenty-second Ohio Volunteers, asks medal and describes incident.

January, 1898, two affidavits by comrades Ham and McCoy, One hundred and twenty-second Ohio Volunteers.

March 22, 1898, Secretary Alger awards.

One medal issued April 5, 1898.

1556. Robinson, Elbridge, Company C, One hundred and twenty-second Ohio Volunteers.

Case No. 1736 (402755). Wilderness, Va., May 5, 1864. Saved life of an officer.

December 13, 1894, T. S. Peck, Adjutant General of Vermont asks medal, inclosing two affidavits.

September 29, 1894, Capt. E. W. Carter; October 26, 1894, Corpl. A. A. Carter, both Fourth Vermont.

Letter September 20, 1894, of applicant.

December 21, 1894, Assistant Secretary Doe awards for conspicuous gallantry.

One medal issued January 4, 1895.

1736. Rich, Carlos H., Company K, Fourth Vermont.

Case No. 1565 (440659). Siege of Port Hudson, La., July, 1863. Voluntarily exposed himself to enemy few feet away to render valuable services for protection of comrades.

February 7, 1896, Senator Gallinger transmits letter Capt. L. H. Pillsbury and affidavits February 3, 1896, A. A. Percy, comrades of this man.

March 4, 1896, Assistant Secretary Doe awards for most distinguished gallantry.

One medal issued March 10, 1896.

1565. Tabor, William L. S., Company K, Fifteenth New Hampshire Volunteers.

Case No. 1578 (375205). Gettysburg, Pa., July 2, 1863. Gallantry in recapture three guns, and two additional guns from enemy; also capture number prisoners.

October 13, 1892, Senator Proctor incloses request of this man for medal.

Letter Col. Randall, Thirteenth Vermont, describes incident.

Gen. Doubleday, commanding Third Division, specifically mentions in his report volume 27, Part I, page 258.

Gen. Stannard, commanding Third Brigade, specifically mentions incident, page 348.

October 21, 1893, Acting Secretary Grant awards.

One medal issued October 28, 1893.

1578. Loneragan, John, Company A, Thirteenth Vermont.

Case No. 1533 (458026). Chancellorsville, Va., May 3, 1863. Severely wounded, went to rear, insisted upon returning to his company, did so, fighting until exhausted by loss of blood, compelled to retire.

Congressman Foote, September 3, 1896, forwarded application of this man; evidence two eyewitnesses have been called for.

Affidavit August, 1896, of comrades Pattison and Corbett; joint affidavit four comrades, One hundred and twenty-third New York Volunteers, February, 1896.

November 11, 1896, Assistant Secretary Doe awards.

One medal issued November, 17, 1896.

1533. Sartwell, Henry, Company D, One hundred and twenty-third New York Volunteers.

Case No. 1534 (450272). Mine Run Va., November 27, 1863. Voluntarily extinguished fuse-burning shell thrown into lines of regiment by enemy.

May 16, 1896, Col. Sellers, Ninetieth Pennsylvania, describes incident, incloses newspaper clipping, and asks medal for this man.

Certificate Sergt. Ewing, Sergt. Earley, both comrades Ninetieth Pennsylvania, May 13, 1896.

Corpl. Wheaton describes incident.

June 17, 1896, Assistant Secretary Doe awards.

One medal issued June 23, 1896.

1534. Scheibner, Martin E., Company G, Ninetieth Pennsylvania Volunteers.

Case No. 1573 (4498-93). Newbys Cross Roads, Va., July 24, 1863. In command section artillery, attacked by enemy; ordered to abandon guns; disregarded orders, aided repelling attack; save guns.

March 9, 1893, Maj. Williston, Third Artillery, ask medal for this man, inclosing affidavit February, 1893, John Overton, Eugene Muffatt.

Letter February 28, 1893, of Hastings, captain, Fifth Michigan, eyewitness.

Newspaper clipping February 20, 1893.

Extract Gen. Custer's report, 1863, pages 1001-1004, volume 43, Rebellion Records, mentions gallant conduct of this man on this occasion.

August 22, 1893, Grant awards.

One medal issued September 1, 1893.

1573. Woodruff, Carle A., Second Artillery, United States Army.

Case No. 1521 (345627). Gettysburg, Pa., July 2, 1863. Held ground with battery after other batteries had fallen back, until compelled to draw his piece off by hand; severely wounded.

September 15, 1892, Col. Burke, Eighty-eighth New York, mentions incident; mentions extract complimentary in "Library of National Records."

Maj. Hart specifically mentions brave and gallant conduct of this man in his report, page 888, volume 27, Part I, Rebellion Records.

September 29, 1892, Schofield recommends, and Assistant Secretary of War having personally considered case, awards October 1, 1892.

One medal issued October 18, 1892.

1521. Knox, Edward M., Fifteenth New York Infantry.

Case No. 1542 (380260). Chancellorsville, Va., May 2, 1863. Sent outside line to obtain information; upon his return surprised by large force of enemy; regained Union lines after greatly imperiling his life.

January 10, 1894, Gen. H. W. Slocum requests medal for this man; describes incident.

Slocum report, dated May 17, 1863, specifically mentions this man.

Secretary Doe disapproves, "it is not for doing one's duty, even to entire satisfaction of commander, the award of medal was intended."

February 14, 1894, Assistant Secretary Doe adheres to decision, nothing additional having been furnished in this case.

Secretary Lamont, April 13, 1894, states: "I think a medal should be issued on statement of Gen. Slocum."

One medal issued May 2, 1895.

1542. Tracey, William G., Company I. One hundred and twenty-second New York Volunteer Infantry.

Case No. 1543 (377867). Wauhatchie, Tenn., October 28, 1863. Gallantry in action; manifesting throughout engagement coolness, zeal, judgment, and courage.

November 29, 1893, Gen. H. W. Slocum applies for medal for this man; describes incident.

Gen. J. W. Geary, in report November 5, 1863, commendatory mention.

December 9, 1893, Secretary of War having personally considered case, awards.

One medal issued January 17, 1894.

1543. Veale, Moses, One hundred and ninth Pennsylvania Volunteers.

Case No. 1571 (468799). Grand Coteau, La., November 3, 1863. Surrounded by enemy cavalry, support surrendered, ordered charge, saved section battery under his command.

February 2, 1897, Congressman Knox asks medal, describes incident.

Mentioned contemporaneous reports Gen. C. C. Washburn, November 7, 1863;

Burbridge November 7, 1863; November 4, 1863, report of applicant.

November 25, 1863, letter W. B. Franklin very complimentary.

November 24, 1863, Gen. Cameron specifically mentions.

Assistant Secretary Doe February 9, 1897, awards.

One medal issued February 18, 1897.

1571. Marland, William, Second Independent Battery, Massachusetts Light Artillery.

Case No. 1567 (514233). Chancellorsville, Va., May 3, 1863. Wounded, fought gallantly under fierce fire until ammunition expended, horses killed or wounded, enemy within 25 yards, brought off piece in safety.

March 22, 1898, Congressman Russell submits application of this man.

Contemporaneous letters Col. Tompkins December 9, 1864, indorsed by Gen.

Wright December 9, 1869, and Maj. Gen. Sheridan, commendatory.

Statement Capt. G. E. Randolph, Chief of Artillery.

Extract Gen. Sickles's report.

Capt. Clark, Chief of Artillery, First Division, Third Corps, and Capt. Randolph, volume 45, part 1, serial No. 39, R. R., all contemporaneous and commendatory.

Meiklejohn, Secretary of War, awards November 27, 1898.

One medal issued July 13, 1899.

1567. Bucklyn, John K., Company I, Rhode Island Light Artillery.

Case No. 1544 (320522). Salem Heights, Va., May 3, 1863. Distinguished bravery in action, where he was wounded and had horse shot under him.

March 1, 1892, Maj. E. B. Williston, Third Artillery, asks medal and describes incident.

Letter May 14, 1892, E. B. Grubb.

Col. G. V. Henry, Seventh Cavalry, March 13, 1892, describes incident.

Extract contemporaneous reports Ord, Upton, and Weitzel specifically mention.

March 16, 1892, Schofield recommends and Secretary of War, March 17, 1892, personally reviewed case and awards.

One medal issued March 28, 1892.

1544. Wheeler, Daniel D., United States Artillery.

Case No. 1721 (383787). Atlanta, Ga., August 6, 1864. Saved lives of comrades, picking up and throwing away lighted shell which had fallen in midst of company.

February 27, 1894, Congressman Broderick forwards letter of Pvt. McLaughlin, Fifty-second Ohio, asking for medal for this man; also affidavit January 12, 1892, First Sergt. T. Humphreville; statement Lieut. Duff; statement Maj. Holmes; all of Fifty-second Ohio Volunteer Infantry.

March 31, 1894, Assistant Secretary Doe awards for most conspicuous gallantry.

One medal issued April 5, 1894.

1721. Grimshaw, Samuel, Company B, Fifty-second Ohio Volunteer Infantry.

Case No. 1722 (537873), 1727 (537873). Near Kenesaw Mountain, Ga., June 15, 1864. With one companion, under fierce fire close range, rescued wounded comrade fallen between lines, carried him place safety.

January 23, 1899, Senator Allison incloses resolution Eleventh Iowa Volunteers dated December 24, 1898, signed by officers of the society.

April 20, 1899, Assistant Secretary Meiklejohn requires evidence eyewitnesses.

June 20, 1899, affidavits Pvt. P. R. Bradshaw, Corpl. A. G. Downing.

On supplemental evidence November 20, 1899, Secretary Meiklejohn awards medals to both these men for most distinguished gallantry.

Two medals issued November 27, 1899.

1722. Herrington, Pitt B., Company E, Eleventh Iowa Infantry.

1727. Mayes, William B., Company K, Eleventh Iowa Infantry.

Case No. 1672 (145750). Spottsylvania, Va., May 12, 1864. Capture flag Eighteenth North Carolina in personal encounter.

March 5, 1890, Congressman Craig asks for medal.

Affidavit January 2, 1890, B. F. Butts.

September 20, 1889, S. B. Duff, affirmation.

Affidavit March, 1890, Capt. Mitchell; B. H. Prizer, comrades.

March 20, 1890, Schofield recommends medal for his gallant action.

March 21, 1890, Secretary of War awards.

One medal issued March 27, 1890.

1672. Mitchell, Alexander H., Company K, One hundred and fifth Pennsylvania.

- Case No. 1511 (323887). Banks Ford, Va., May 4, 1863. Single-handed, captured two officers and five privates of Eighth Louisiana.
- March 28, 1892, Adj. Gen. Vt. T. S. Peck asks medal for this man; describes incident.
- April 23, 1892, affidavits Second Lieut. E. W. Carter, First Sergt. W. W. Mor-ton.
- May 4, 1892, Schofield recommends medal and Assistant Secretary awards.
- One medal issued May 13, 1892.
1511. Coffey, Robert J., Company K, Fourth Vermont Volunteers.
- Case No. 1518 (445702). Vicksburg, Miss., May 19, 1863. Drummer boy, 14 years of age, severely wounded, exposed to heavy fire, remained upon field of battle until he had reported to Gen. Sherman necessity for ammunition for troops of Marmaduke.
- March 26, 1896, letter Fifty-fifth Illinois Veterans' Association asks medal for this drummer boy.
- August 8, 1863, Sherman's letter to Secretary of Navy to send this boy to Naval Academy cites incident.
- September 19, 1864, letter Secretary of Navy G. Welles.
- April 18, 1896, Assistant Secretary Doe awards.
- One medal issued April 23, 1896.
1518. Howe, Orion P., Fifty-fifth Illinois Volunteers.
- Case No. 1550 (481855). Bristoe Station, Va., June 15, 1863. At imminent peril saved from death or capture disabled officer of his company by carrying him under hot musketry fire to place of safety.
- June 1, 1897, Congressman Odell forwards Capt. Wisner's, One hundred and twenty-fourth New York Volunteers, application for medal for this man; favorably indorsed by Capt. Bradley.
- No record of disability by sunstroke is found in records.
- Secretary Alger, July 31, 1897, presents medal.
- One medal issued September 10, 1897.
1550. Hallock, Nathan M., Company K, One hundred and twenty-fourth New York Volunteers.
- Case No. 1549 (468696). Salem Heights, Va., May 3, 1863. Voluntarily exposed himself to heavy fire during thickest of fight, carried wounded men to rear for treatment and attendance.
- December 15, 1896, Maj. J. C. Gilmore recommends medal for this man; quotes report of Col. Seaver, regimental commander, and Gen. T. H. Brooks; report specifically recommends this man for medal.
- Losses shown by report Gen. Bartlett, extract quoted.
- February 9, 1897, Assistant Secretary Doe awards.
- One medal issued February 16, 1897.
1549. Hall, Francis B., Sixteenth New York Infantry.
- Case No. 1524 (170019). Fredericksburg, Va., May 3, 1863. Among first to jump into enemy's rifle pits; captured and brought out three prisoners.
- March 28, 1890, this man asks if he is entitled to medal, describes incident. Submits affidavit Comrades Trafton, joint affidavits Trafton and Staples, May 27, 1890. These affidavits were submitted when additional evidence was called for, April, 1890.
- June 10, 1890, Schofield, on additional evidence, recommends medal, and Assistant Secretary awards, June 16, 1890.
- One medal issued June 28, 1890.
1524. Luther, James H., Company D, Seventh Massachusetts Volunteers.
- Case No. 1525 (5323-76). Chancellorsville, Va., May 3, 1863. Bravely advanced to enemy's line under heavy fire, brought back valuable information.
- September 5, 1876, Henry Warner applies for medal for this man.
- Contemporaneous order May 23, 1863, Col. W. R. Brewster, commanding brigade, commends this man. This man, with six others, was specifically reported by brigade commander for bravery, etc. Medals had been issued to Sergt. Maj. Jacobsky and Pvt. Brannigan.
- September 23, 1876, Secretary of War awards.
- One medal issued October 5, 1876.
1525. Lutz, Gottlieb, Company A, Seventy-fourth New York Volunteers.

Case No. 1523 (303994). Port Hudson, La., June 14, 1863. During momentary confusion in ranks caused by other troops rushing upon regiment, this man, by coolness and efficient aid, prevented panic among troops.

November 7, 1891, Congressman Morse requests medal for this man; gives copy regimental General Order June 18, 1863, Fourth Massachusetts Volunteers. Col. Walker especially commendatory.

Statement November 1, 1891, of applicant.

Commendatory statement of Lieut. Col. Colby and Capt. G. S. Merrill, both Fourth Massachusetts.

November 7, 1891, Schofield recommends and Secretary of War awards.

One medal issued November 19, 1891.

Nov. 7, 1891, Schofield recommends and Secretary of War awards.

1523. Lovering, George M., Company I, Fourth Massachusetts Volunteers.

Case No. 1570 (473783). Newbys Cross Roads, Va., July 24, 1863. Command squadron, attacked by enemy, orders given to abandon guns disregarded order, aided in repelling attack, and saved guns.

March 18, 1897, Maj. Carle L. Woodruff, Second Artillery, requests medal for this man.

Gen. George A. Custer, official report engagement August 28, 1863.

July 19, 1897, Secretary Alger awards.

One medal issued August 2, 1897.

1570. Hastings, Smith H., Company —, Fifth Michigan Cavalry.

Case No. 1516 (408201). Matagorda Bay, Tex., December 29–30, 1863. Command detachment 100 men, conducted reconnoissance two days, baffling, beating back attacking force of more than thousand Confederate Cavalry; regained transport without loss.

February 20, 1895, Congressman Everett applies for medal for this man, inclosing petition of applicant dated February 13, 1895, document 52, series 1, volume 2, page 419, commendatory report Maj. Henry.

Gen. Ransom's report, 1863.

January 3, 1864, Gen. Ransom's letter commendatory.

January 6, 1864, Gen. Washburn.

Commendatory extract Maj. Staples, Third Maine, specifically mentions this man.

February 25, 1895, Secretary Lamont awards.

One medal issued March 2, 1895.

1516. Hesseltine, Francis S., Company G, Third Maine Volunteers.

Case No. 1515 (44929). Gettysburg, Pa., July 3, 1863. All officers of battery killed or wounded, five guns disabled in Pickett's assault; succeeded to command; fought remaining gun with distinguished gallantry until battery ordered withdrawn.

October 19, 1896, Gen. A. S. Webb recommends medal and describes incident; cites Gen. Hancock's report, 1863, his own report of July 12, 1863; extract report of Capt. Hazard, First Rhode Island Infantry.

October 8, 1863, commendatory indorsement and recommendation for promotion by Gens. Meade, Hunt, and Webb.

October 29, 1896, Assistant Secretary Doe considers sufficient recognition of gallantry had been awarded when he was commissioned.

June 4, 1897, Gen. Webb submits another letter requesting medal.

July 31, 1897, Secretary Alger awards.

One medal issued August 24, 1897.

1515. Fuger, Frederick, Company A, Fourth United States Artillery.

Case No. 1553 (411810). McMinnville, Tenn., October 3, 1863. Went to aid wounded comrade between lines and carried him to place safety.

March 25, 1895, Lieut. Col. T. H. Reeves, Fourth Tennessee Infantry, describes incident and recommends medal for this man.

April 3, 1895, Assistant Secretary of War calls for additional evidence.

Affidavit, April 25, 1895, S. J. Jones and J. N. Bird, comrades, Company D, Fourth Tennessee Volunteers.

May 27, 1895, letter Lieut. Col. Reeves.

June 1, 1895, Assistant Secretary Doe awards.

One medal issued June 11, 1895.

1553. Lawson, Galnes, Company D, Fourth Tennessee Infantry.

Case No. 1532 (365183). Chickamauga, Ga., September 19, 1863. While on extreme front between lines of combatants, single handed captured Confederate major who was armed and mounted.

March 29, 1893, Senator J. Martin forwards this man's application; statement of applicant indorsed by Col. Askew, Fifteenth Ohio Volunteers, April 3, 1893.

August 18, 1893, Assistant Secretary Grant denies; application by commanding officer and supported by evidence eyewitnesses.

Affidavits, September 7, 1893, Lieut. P. G. Gardner; September 28, 1893, Jacob Campbell; statement Col. Askew, October 6, 1893.

November 4, 1893, Grant awards.

One medal issued November 9, 1893.

1532. Richey, William E., Company A, Fifteenth Ohio Volunteers.

Case No. 1552 (124013). Vicksburg, Miss., May 19, 1863. Voluntarily and at risk of life, under severe enemy fire, aided and assisted to rear an officer severely wounded and left on field.

August 17, 1898, Congressman Dolliver forwards Capt. J. L. Horr's application for medal for this man.

Statement, same date, J. L. Horr, captain, Thirteenth United States Infantry.

April 21, 1899, Adjutant General's Office extracts: Gen. F. P. Blair, 1863, report, no specific mention of this man.

Gen. H. C. Corbin recommends and April 25, 1899, Secretary Alger awards.

One medal issued May 13, 1899.

1552. Kephart, James, Company C, First Battalion, Thirteenth United States Infantry.

Case No. 1813 (314778). Yellow Tavern, Va., May 11, 1864; Hanover town, Va., May 27, 1864. Made successful charge; 90 prisoners captured. Gallant dash on superior force enemy; personal encounter; captured opponent.

January 28, 1892, Congressman Curtis transmits two letters, January 18, 1892, of Col. Nichols, Ninth New York Cavalry; cites extracts reports Gen. T. C. Devin.

March 11, 1892, Schofield considers conduct well merits medal.

March 14, 1892, Secretary of War awards.

One medal issued March 22, 1892.

1813. Rutherford, John T., Ninth New York Cavalry.

Case No. 1718 (398237). Wilderness, Va., May 5, 1864. Single handed rescued comrade from two Confederate guards, knocking down one and compelling surrender of other.

September 20, 1890, Lieut. Col. Edward Hill, Sixteenth Michigan, applies for medal for this man; incloses petition of Eighty-third Pennsylvania Regimental Association, signed by 57 members and indorsed by Gen. Daniel Butterfield.

November 30, 1894, Secretary Lamont awards for gallantry at Wilderness.

One medal issued December 27, 1894.

1718. Grace, Peter, Company E, Eighty-third Pennsylvania Volunteers.

Case No. 1817 (402775). Kenesaw Mountain, Ga., June 15, 1864. Advanced beyond lines and, in encounter with three Confederates, shot two and took other prisoner.

December 14, 1894, Senator Allen incloses petition, sworn to July 14, 1894, by two comrades: N. Fallows, November 28, 1894; H. H. Brook, October 19, 1894, both Forty-sixth Ohio Volunteers.

December 21, 1894, Assistant Secretary Doe awards.

One medal issued January 2, 1895.

1817. Sturgeon, James K., Company F, Forty-sixth Ohio Volunteer Infantry.

Case No. 1568 (343333). Gettysburg, Pa., July 2, 1863. Saved gun of battery under heavy fire; most of horses killed and drivers wounded.

September, 1892, Capt. Thompson, Lieut. Stevenson, and Lieut. Paul, two other comrades of the battery, request medal and describe incident.

Report Capt. Thompson, dated July 4, 1863, specifically mentions this man for gallantry.

November 8, 1892, Schofield recommends award, and Secretary of War, having personally considered case, awards, November, 1892.

One medal issued December 21, 1892.

1568. Carlisle, Casper, Battery F, Independent Light Artillery.

Case No. 1569 (1074 B 88). Chancellorsville, Va., May 3, 1863. All officers and men having been killed or wounded, continued to fire gun. Piece dragged off by himself and another man; horses shot; saved piece.

November 29, 1889, St. Clair A. Mulholland, colonel One hundred and sixteenth Pennsylvania, describes incident and asks medal.

Certificate Capt. G. T. Stevens, Fifth Maine Battery, February, 1888.

Newspaper clipping of 1886 shows this man bears 48 wounds.

February 6, 1888, Secretary of War hands this man medal.

One medal issued February 7, 1888.

1569. Chase, John F., Fifth Maine Battery.

Case No. 1535 (532147). Chancellorsville, Va., May 2, 1863. Was one of party of four who voluntarily brought into Union lines, under fire, a wounded Confederate officer, from whom was obtained valuable information concerning enemy.

May 25, 1892, Senator Sherman forwards application of this man for medal.

May 26, 1892, testimony eyewitness requested.

Statement Capt. McConnell, Sixty-sixth Ohio, June 1, 1892.

Statement Col. E. Powell, Sixty-sixth Ohio.

June 13, 1892, Schofield recommends medal and Secretary of War awards.

One medal issued June 24, 1892.

1535. Seaman, Elisha B., Company A, Sixty-sixth Ohio Volunteers.

Case No. 1475 (338873). Chancellorsville, Va., May 2, 1863. Same as 1535, above.

July 12, 1892, this man asks for medal on the ground that Seaman (1535) had been awarded one for same service; application indorsed by Capt. McConnell, July 12, 1892, who specifically mentions incident.

July 18, 1892, Schofield recommends and Secretary of War awards.

One medal issued July 29, 1892.

1475. Heller, Henry, Company A, Sixty-sixth Ohio Volunteers.

Case No. 1540 (337787). Chancellorsville, Va., May 2, 1863. Same as 1535, above.

June 30, 1892, this man applies for medal, having the same claim as Seaman (1535), to whom medal was awarded.

July 9, 1892, Schofield recommends and Acting Secretary of War awards.

One medal issued July 16, 1892.

1540. Thompson, Thomas, Company A, Sixty-sixth Ohio Volunteers.

Case No. 1512 (341481). Chancellorsville, Va., May 2, 1863. Same as 1535, above.

August 1, 1892, this man asks for medal; accompanied by statement, August 5, 1892, Capt. McConnell, Sixty-sixth Ohio.

August 5, 1892, two letters McConnell.

October 18, 1892, McConnell requests reconsideration, first application having been denied; invites attention to fact that Seaman, Thompson, and Heller had been awarded medals for same service.

September 28, 1892, Schofield considers unfavorably; award denied.

November 8, 1892, Schofield recommends, in view of award to others, and November 16, 1892, Secretary of War awards.

One medal issued December 15, 1892.

1512. Cranston, William W., Company G, Sixty-sixth Ohio Volunteers.

Case No. 1555 (515980). Winchester, Va., June 14, 1863. With one companion voluntarily went to front of Union line, under heavy fire, carried back wounded comrade, saving from death or capture.

April 6, 1898, Lieut. Col. M. M. Granger, One hundred and twenty-second Ohio Volunteers, asks for medal, inclosing affidavits, April 4, 1898, First Sergt. A. W. Bell, Pvt. E. Robinson, both of One hundred and twenty-second Ohio Volunteers.

April 20, 1899, Assistant Secretary Meiklejohn awards.

One medal issued May 13, 1899.

1555. Patterson, John T., Company C, One hundred and twenty-second Ohio Infantry.

Case No. 1514 (432139). Jefferson, Va., October 12, 1863. At head detachment of company, dashed across open field, exposed to deadly fire, succeeded in dislodging enemy from house, which he and comrade defended for several hours, preventing enemy from flanking Union lines.

October 22, 1895, Col. M. Kerwin, Thirteenth Pennsylvania Cavalry, recommends medal and describes incident.

January 6, 1897, Col. Kerwin certifies as to act being voluntary; eyewitness; man worthy recognition.

January 18, 1897, Assistant Secretary Doe awards.

One medal issued January 23, 1897.

1514. Dougherty, Michael, Company B, Thirteenth Pennsylvania Cavalry.

Case No. 1513 (350613). Chancellorsville, Va., May 2, 1863. Fought guns until enemy upon him; with one gun, hauled by hand, formed rear guard, kept enemy at bay by rapidity of fire; last man in retreat.

November 18, 1892, A. C. Hamlin, late colonel and medical inspector, historian Eleventh Army Corps, calls attention to this man and asks for medal.

Gen. Schurz in report, 1863, specifically mentions this man; incident under person observation, volume 25, Part I, page 647.

December 7, 1892, Schofield desires statement if under personal observation. On additional evidence Grant awards.

One medal issued August 17, 1893.

1513. Dilger, Hubert, Battery I, Ohio Light Artillery.

Case No. 1742 (354227). Cold Harbor, Va., June 3, 1864. Wounded, voluntarily left rifle pits, crept out between the lines, exposed to severe fire of enemy, close range; brought within lines two wounded and helpless comrades.

December 20, 1892, Capt. Henry Parsons requests medal for this man; describes incident; indorsed by Col. Guyon, One hundred and forty-eighth New York.

Denied August 12, 1893, by Secretary Grant; "was not conspicuous gallantry in action."

Statement Col. Henry Parsons December, 1897; statement Col. Guyon December 15, 1897.

March 22, 1898, on additional evidence Secretary Alger awards.

One medal issued April 5, 1898.

1742. Tinkham, Eugene M., Company H, One hundred and forty-eighth New York Volunteer Infantry.

Case No. 1741 (450023). Dallas, Ga., May 28, 1864. While bringing in wounded comrade, under destructive fire, himself wounded in right leg; amputated same day.

May 8, 1896, Lieut. Col. Gimber, One hundred and ninth Pennsylvania Volunteers, requests medal; described incident.

July 5, 1896, second statement of Lieut. Col. Gimber.

Affidavit July 1, 1896, B. D. Farren.

August 15, 1896, Assistant Secretary Doe awards.

One medal issued August 29, 1896.

1741. Storey, John H. R., Company F, One hundred and ninth Pennsylvania Volunteer Infantry.

Case No. 1826 (496571). Laurel Hill, Va., May 8, 1864. Rode to head assaulting column, then much broken by severe losses, placed himself in conspicuous position front of troops, rallied them, led within few feet enemy's works, wounded, captured.

October 12, 1897, Comrade F. Brackett, Treasury Department, submits affidavits of Gen. R. N. Bowerman, Capt. Peter Grace, Eighty-third Pennsylvania Volunteers; Capt. W. D. Morrison, Seventh Maryland Volunteers.

Page 602, volume 35, Part I, Rebellion Records, mentions wounding of this man.

Supplemental report November 26, 1897, Maj. Rittenhouse submits affidavits, October, 1897, of Surg. R. K. Robinson, Lieut. Col. Costin, Confederate States Army, Capt. E. F. Anderson.

Contemporaneous report, April 13, 1866, Gen. J. P. Robinson, letter asking brevet for this man; favorably indorsed by Gen. Warren, April 14, 1866.

March 22, 1898, Secretary Alger awards.

One medal issued March 30, 1898.

1826. Phelps, Charles E., United States Volunteers.

Case No. 1748 (492800). St. Mary's Church, Va., June 24, 1864. Division hard pressed and falling back; dismounted, gave his horse to wounded officer, enabled him to escape; afterwards, on foot, rallied and took command of some stragglers and helped to repel enemy.

August 22, 1898, Gen. D. M. Gregg submits evidence and applies for medal for this man.

Recommended by Col. Taylor, First Pennsylvania, December 14, 1897.

Letter. C. H. Smith, colonel, dated April 17, 1898, recommends medal.

Records Second Division Cavalry Corps gives account of engagement and losses.

April 19, 1899, Assistant Secretary Melklejohn awards.

One medal issued May 18, 1899.

1748. Weir, Henry C., United States Volunteers.

Case No. 1745 (394454). Buzzards Roost, La., May 11, 1864. Risked life saving wounded comrade.

July 29, 1894, David A. Roe, sergeant, Fifty-second Ohio Volunteers, requests medal, by affidavit, for this man.

John Baldwin, comrade, makes affidavit July, 1894.

Newton Boswick, Fifty-second Ohio, makes affidavit July, 1894.

Adjutant General's record shows this man (Robinson, who was rescued), died June 17, 1864, of wounds received in action referred to.

August 7, 1894, Assistant Secretary Doe awards.

One medal issued August 14, 1894.

1745. Treat, Howell B., Company I Fifty-second Ohio Infantry.

Case No. 1743 (387234). Ezra Chapel, Ga., July 28, 1864. At great hazard of his life, saved commanding officer, then badly wounded, from capture.

April 16, 1894, Maj. Charles Hipp asks medal for this man, inclosing statement of Lieut. Lambert, company commander.

Official report regimental commander; statement Brigade Commander U. S. Jones, April 13, 1894.

May 4, 1894, Assistant Secretary awards medal on Gen. Sherman's hearty approval, April 19, 1894.

One medal issued May 10, 1894.

1743. Torgler, Ernst, Company G, Thirty-seventh Ohio Infantry.

Case No. 1744 (496721). Spottsylvania, Va., May 12, 1864; Petersburg, Va., April 2, 1865. At risk of own life, assisted in carrying to place of safety wounded officer. Advanced with pioneers, under heavy fire; assisted in removing two lines chevaux-de-frise; twice wounded; advanced to third line where again severely wounded, losing leg.

October 22, 1897, Congressman Barrett requests medal for this man and submits affidavit, September 25, 1897, of Brig. Gen. Oliver Edwards.

October 4, 1897, affidavit Lieut. Albert C. Sparks, who was carried off field.

Secretary Alger, November 2, 1897, awards.

One medal issued November 19, 1897.

1744. Tracy, Charles H., Company A, Thirty-seventh Massachusetts Volunteer Infantry.

Case No. 1771 (365207). Atlanta, Ga., August 3, 1864. Led charge skirmishers against enemy's rifle pits; stubbornly resisted attacks to take works.

April 20, 1893, Col. O. D. Hurd applies for medal for this man, describing incident.

Contemporaneous record General Order 20, August 4, 1864, Third brigade, first division, Fourth Artillery Corps, specifically mentions this man.

Adj't. Gen. Whipple, chief of staff, Army of the Cumberland, states he led successful charge under personal observation Gen. Stanley, for which he was complimented.

Asst. Adj't. Gen. Vincent recommends medal and Assistant Secretary of War having personally considered case; awards May 13, 1893.

One medal issued May 22, 1893.

1771. Lawton, Henry W., Thirtieth Indiana Volunteers.

Case No. 1731 (508021). Resaca, Ga., May 14, 1864. Voluntarily returned in face severe fire, rescued wounded comrade left behind when regiment fell back.

February 2, 1898, Congressman Baker submits application Capt. Gray, One hundred and eleventh Illinois, for medal for this man, describing incident.

March 28, 1898, evidence considered insufficient.

Affidavit May 2, 1898, Surg. Raney, One hundred and eleventh Illinois, eye witness.

January, 1899, statement Capt. Gray, One hundred and eleventh Illinois. On additional evidence April 20, 1899, Assistant Secretary Meiklejohn awards. One medal issued May 13, 1899.

1731. Newman, Marcellus J., Company B, One hundred and eleventh Illinois Volunteer Infantry.

Case No. 1759 (362176). Wilderness, Va., May 6, 1864. Rallied and led into action a portion of troops who had given way under fierce assaults of enemy.

March 24, 1893, Gen. Batchelder applies for medal for this man; cites extracts from battle reports where gallantry and distinguished services in action are mentioned.

Two reports of Gen. Hancock, 1863.

Gen. Warren, October, 1863.

Report Gen. Hancock, Wilderness campaign specifically mentions this man.

Commendatory report Gen. A. A. Humphreys March 27, 1865.

August 22, 1893, medal awarded and applicant is to select some one of the engagements specified particularly.

August 23, 1893, indorsement Gen. Batchelder recommending Wilderness.

August 25, 1893, Grant awards for distinguished gallantry at Wilderness.

One medal issued August 31, 1893.

1759. Bingham, Henry H., Company G, One hundred and fortieth Pennsylvania Volunteers.

Case No. 1774 (9750). Trevilian Station, Va., June 11, 1864. Handled regiment with great skill and valor; severely wounded.

June 1, 1893, this man cites record and submits papers.

October 25, 1864, Gen. Sheridan recommends this man for brevet, specifically mentions gallantry; did not receive brevet.

June 6, 1893, Gen. Merritt indorses, recommending medal.

August 12, 1893, Grant states medals are issued for conspicuous gallantry in some particular action, and full statement is desired.

September 2, 1893, Gen. Merritt requests medal for this man, describing incident.

September 8, 1893, Schofield says, for reasons made known to Secretary of War, he has not acted upon medal of honor cases for some time; if he were to make a recommendation he considers this case abundantly entitled to medal for distinguished bravery as described by Gen. Merritt.

September 11, 1893, Grant awards.

One medal issued September 21, 1893.

1774. Rodenbough, Theophilus F., colonel, United States Army.

Case No. 1747 (473191). Staunton River Bridge, Va., June 25, 1864. Voluntarily took part in charge; went alone in front of his regiment under heavy fire and secured body of captain, who had been killed in action.

March, 1897, Capt. Irwin Bacon, Eleventh Pennsylvania Cavalry, applies for medal for this man, inclosing statement Maj. S. M. Titus, Eleventh Pennsylvania Cavalry, December 13, 1896.

December, 1897, Lieut. J. S. Weaver statement, eyewitness.

August 11, 1897, Secretary Alger awards.

One medal issued September 10, 1897.

1747. Ward, Nelson W., Company M, Eleventh Pennsylvania Volunteer Cavalry.

Case No. 1730 (477374). Bermuda Hundred, Va., June 17, 1864. Voluntarily exposed himself to heavy fire to bring off wounded comrade.

April 7, 1897, Lieut. Col. Campbell, Eighty-fifth Pennsylvania, recommends medal and described incident.

Statement R. P. Hughes, April 24, 1897.

Affidavit, April 7, 1897, Ed. Campbell and R. R. Sanner swears to same, both eyewitnesses.

July 21, 1897, Secretary Alger awards.

One medal issued August 2, 1897.

1730. Morrison, Francis, Company H, Eighty-fifth Pennsylvania Volunteers.

Case No. 1768 (376622). Cold Harbor, Va., June 1, 1864. Led assaults of his brigade upon enemy's works, where he had two horses shot under him.

November 1, 1893, Maj. Hubbel, Twenty-first Connecticut, requests medal for this man and describes incident.

Gen. William F. Smith gives earnest indorsement.

Extracts Gen. Smith's report, June 2, 1864, commendatory mention.

Gen. Charles Devon specifically mentions this man for brevet; gallant and meritorious conduct.

November 21, 1893, Grant awards.

One medal issued December 5, 1893.

1768. Henry, Guy V., Fortieth Massachusetts Volunteers.

Case No. 1729 (517138). Petersburg, Va., June 17, 1864. During assault in face heavy fire, heroic assistance to wounded and helpless officer; in performance this act sustained severe wound.

April 11, 1898, Col. Newberry, Twenty-fourth New York Cavalry, requests medal for this man; describes incident.

December 14, 1891, letter applicant to Adjutant General, requesting the fact that he was wounded by saber cut be placed on record (place, Brandy Station, Va.); indorsed by Col. H. C. Welr and Gen. Gregg, who recalled incident.

March 13, 1899, Assistant Secretary Melklejohn awards.

One medal issued March 29, 1899.

1729. Meyer, Henry C., Company D, Twenty-fourth New York Cavalry.

Case No. 1726 (406539). Laurel Hill, Va., May 10, 1864. Voluntarily returned in face advancing enemy to assistance wounded and helpless comrade; carried him at great peril to place of safety.

February 2, 1895, Congressmen Barnes and Hopkins request award of medal, supported by affidavits of Comrades La Fleur, Fourth Michigan, and John Dean, January, 1895, and Henry W. Magee, October 17, 1894.

February 6, 1895, Assistant Secretary Doe awards.

One medal issued February 7, 1895.

1726. Luce, Moses A., Company E, Fourth Michigan Volunteers.

Case No. 1746 (534793). Fort Hell, Petersburg, Va., August 29, 1864. Went outside trenches under heavy fire at short range and rescued wounded comrade, who was thrown out of trench by exploding shell.

In 1898 ex-Congressman Stubbs requests medal for this man, inclosing affidavit of applicant dated December 6, 1898; statement signed by four comrades in Ninety-seventh Pennsylvania, October 29, 1898.

Assistant Secretary requests more testimony.

Hon. Thomas S. Butler makes résumé of the statement signed by the four comrades December 17, 1898.

Gen. Young's board reviewed case and recommended medal July 11, 1902; approved by Secretary of War July 19, and medal awarded.

One medal issued August 6, 1892.

1746. Walton, George W., Company C, Ninety-seventh Pennsylvania Volunteer Infantry.

Case No. 1340 (1282332). Missionary Ridge, Tenn., November 25, 1863. Though severely wounded, first of regiment on summit of ridge; planted colors inside enemy's works; did not leave field until wounded five times.

September 29, 1907, J. F. Noland asks medal for this man; affidavits of Alexander, C. N. Burns, and Sotherland.

Gen. J. B. Turchin, April 12, 1864, specifically mentions this man, wounded five times, fell three times; first of regiment on ridge and planted colors inside enemy's works.

Mentioned in volume 31, Series I, Part II, pages 516-519.

Commanding officer, Lieut. Col. Street, specifically mentions this man in report November 30, 1863.

Brigade Commander Turchin recommends for promotion November 30, 1863.

January 15, 1864, company commander, Capt. Morris, specifically mentions service of this gallant soldier.

October 9, 1907, Acting Secretary Oliver awards.

One medal issued November 1, 1907.

1340. Bell, James B., Company H, Eleventh Ohio Infantry.

Case No. 1213 (344885). Gaines Mill, Va., June 27, 1862. Seized colors Eighty-third Pennsylvania Volunteers at critical moment under galling fire enemy; encouraged depleted ranks to renewed exertion.

September 12, 1892, Edward Hill, lieutenant colonel, and three captains, all survivors of the Sixteenth Kentucky, request medal for this man.

Extract report Lieut. Col. H. S. Campbell, commanding Eighty-third Pennsylvania, specifically mentions this man for distinguished gallantry; volume 45, Series I, Part II, page 344.

Application indorsed by Gen. Fitz-John Porter, corps commander, September 5, 1892.

September 17, 1892, Schofield recommends award and L. A. Grant awards.

January 3, 1893, Secretary of War makes exception and directs issue of duplicate medal applied for by this man February 2, 1893.

One medal issued September 26, 1892.

One duplicate medal issued February 2, 1893.

1213. Butterfield, Daniel, United States Volunteers.

Case No. 1341 (478733). Lenoire, Tenn., November 16, 1863. Color bearer, twice wounded, sight one eye destroyed; held to colors until ordered to rear by regimental commander.

May 6, 1897, Senator Burrows requests medal for this man, inclosing statement, May 1, 1897, of Alfred Milnes, private, Seventeenth Michigan Volunteers, and letter of Brig. Gen. F. W. Swift, May 3, 1897.

Lieut. Col. Comstock, commanding Seventeenth Michigan Volunteers, reports engagement November, 1863, and specifically mentions this man as "bravest of the men; held to the colors after being severely wounded until ordered to retire." Volume 31, Part I, page 368.

Secretary Alger, July 13, 1897, awards.

One medal issued July 20, 1897.

1341. Brandle, Joseph E., Company C, Seventeenth Michigan Infantry.

Case No. 1345 (497583). Missionary Ridge, Tenn., November 25, 1863. This soldier, while regiment falling back, seeing two color bearers shot down, under severe fire, recovered both flags and saved them from capture.

October 30, 1897, First Sergt. David A. Mulvane asks medal for this man; incloses his affidavit August, 1897, describing incident; also affidavit Maj. David Skeeles, February 9, 1889.

Adjutant General's record shows no mention of incident referred to.

March 22, 1898, Secretary Alger awards.

One medal issued March 30, 1898.

1345. Davis, Freeman, Eightieth Ohio Infantry.

Case No. 1585 (376583). Wilderness, Va., May 5, 1864. Though suffering from open wound, carried regimental colors until again wounded.

April 14, 1893, this man applies by letter for medal, describing incident.

December 2, 1893, J. H. Stein also asks for medal in letter dated November 3, 1893, inclosing affidavit of Nathaniel Yingling, Nineteenth Indiana, and affidavit A. J. Wood, Nineteenth Indiana.

Nothing in Adjutant General's records concerning incident mentioned.

November 22, 1893, Grant awards.

One medal issued December 4, 1893.

1585. Buckles, Abraham J., Company E, Nineteenth Indiana Infantry.

Case No. 1594 (407117). Wilderness, Va., May 5, 1864. Went out in front of line under fierce fire, and in face rapidly advancing enemy rescued regimental flag with which color bearer had fallen.

Congressman Fielder, February 8, 1895, asks medal for this man, accompanied by statement Lieut. John T. Cunningham, December 14, 1894.

Letter Sergt. Edw. Prince, January, 1895.

Letter Capt. Dockstader, Sixty-second New York, September, 1870.

Newspaper clipping, August, 1893.

Letter Sergt. Ed. Brown, January, 1895.

Adjutant General's record, February 11, 1895.

Assistant Secretary Doe awards February, 1895.

One medal issued February 25, 1895.

1594. Evans, James R., Company H, Sixty-second New York Volunteers.

Case No. 1809 (388414). North Anna River, Va., May 23, 1864. Volunteered for dangerous service and single handed captured 13 armed Confederate soldiers and marched them to the rear.

Second Lieut. H. H. Miller, May 3, 1894, requests medal for this man in affidavit.

Two affidavits of applicant and statement, April 18, 1894.

Statement of Miller, April 6, 1894.

- May 25, 1894, Assistant Secretary Doe awards.
 One medal issued June 13, 1894.
1809. Kirk, Jonathan C., Company F, Twentieth Indiana Volunteers.
- Case No. 1812 (328034). Crumps Creek, Va., May 27, 1864. With small force on reconnoissance drove off strong body enemy; charged into another force enemy's cavalry, stampeded them, taking 27 prisoners.
- April, 1892, Congressman Curtis incloses statement, dated April 20, 1892, of Col. G. S. Nichols, Ninth New York Cavalry.
- Statement Capt. N. Cheney, Ninth New York Cavalry.
- On muster roll May and June, 1864, notation made of gallant charge of company at Hanover Ferry.
- May 4, 1892, Schofield recommends award, and Acting Secretary having personally considered this case awards.
- One medal issued May 13, 1892.
1812. Putnam, Edgar P., Ninth New York Cavalry.
- Case No. 1797 (54429). Trevilians Station, Va., June 11, 1864. Voluntarily led charge, in which severely wounded.
- July 29, 1889, this man requests information in regard to recommendation for medal by W. H. Avery.
- June 21, 1864, H. E. Davis, brigadier general commanding, commendatory statement; Brig. Gen. D. M. Gregg, division commander.
- Maj. Gen. Sheridan commendatory statement.
- January 12, 1870, Col. W. H. Avery, Tenth New York Cavalry, recommends medal.
- November 8, 1889, Schofield recommends medal, especially in action at Trevilians Station, Va.
- Redfield Proctor, Secretary of War, awards November 18, 1889.
- One medal issued November 22, 1889.
1797. Preston, Noble D., Tenth New York Cavalry.
- Case No. 1591 (348758). Weldon Railroad, Va., June 23, 1864. Saved colors of regiment when surrounded by much larger force of enemy and after greater part of regiment had been killed or captured.
- October 26, 1892, Capt. D. D. Wheeler requests medal for this man.
- Company's application, signed by Capt. C. G. Fisher, Fourth Vermont, granted furlough of 25 days as a reward for soldierly conduct. Gen. Parke.
- Gen. G. P. Foster states specially distinguished in saving colors of regiment.
- June 23, Weldon Railroad.
- November 27, 1892, Schofield finds record satisfactory evidence.
- Indorsement January 7, 1893, Grant, Assistant Secretary, who has personal knowledge of circumstances and incident; regards act conspicuous and gallant.
- Secretary of War awards, January 18, 1893.
- One medal issued January 18, 1893.
1591. Drury, James, Company C, Fourth Vermont Volunteers.
- Case No. 1593 (269908). Wilderness, Va., May 6, 1864. During a rout, and while under orders to retreat, seized colors, rallied men, drove enemy back.
- This man, January 6, 1891, asks for medal.
- Statement Corpl. James Lowe, Charles F. Hopkins, and Sergt. Topham, January, 1891.
- February 3, 1891, Schofield states that this man's claim is fully merited, and Secretary of War awards.
- One medal issued February 13, 1891.
1593. English, Edmund, Second New Jersey Infantry.
- Case No. 1400 (377648). Fredericksburg, Va., May 3, 1863. Carried colors to top of heights and almost to muzzle enemy's guns.
- Adj. Gen. T. S. Peck, Vermont, November 25, 1893, asks medal for this man, inclosing Col. Walbridge's, Second Vermont, letter describing incident.
- Mentioned specifically in list April 20, 1865, Gen. Geddy.
- December 5, 1893, Grant awards.
- One medal issued December 13, 1893.
1400. Harrington, Ephraim W., Second Vermont Volunteers.
- Case No. 1794 (391013). Near Petersburg, Va., June 18, 1864. Voluntarily exposed himself to fire of Union brigade to stop their firing on Union skirmish line.

June 9, 1894, Regimental Historian J. L. Bowen, Thirty-seventh Massachusetts, applies for medal for this man; cites extract of his history mentioning this man.

Affidavits of two comrades, Wheelock and Cook, both Company E, Thirty-seventh Massachusetts.

Assistant Secretary Doe, August 11, 1894, awards for distinguished gallantry. One medal issued August 16, 1894.

1794. Leonard, Edwin, Company I, Thirty-seventh Massachusetts Volunteers.

Case No. 1220 (393145). Antietam, Md., September 17, 1862. Voluntarily took and carried colors into action after color bearer had been shot.

Congressman Sherman applies for medal for this man.

Letter E. F. Wetmore, September 18, 1893, inclosing resolution.

Affidavit Capt. E. R. P. Shurley describes incident.

Extract report R. R., pages 263-264, Series I, volume 19, Part I.

Affidavit E. F. Wetmore, major, Twenty-sixth New York, May 2, 1895.

July 19, 1894, Assistant Secretary considers case of great merit, but requires further evidence.

June 4, 1895, Assistant Secretary Doe awards.

One medal issued June 12, 1895.

1220. Cleveland, Charles F., Company C, Twenty-sixth New York Volunteer Infantry.

Case No. 1232 (461176). Perryville, Ky., October 8, 1862. Seized flag regiment when color sergeant shot; advanced with flag midway between lines amid shower of shot until stopped by commanding officer.

October 27, 1896, this man requests medal, inclosing letter of Gen. Starkweather, dated June 23, 1888; two letters of Lieut. Wise, July 6, 1891, and July 8, 1896.

Joint affidavit, dated May 27, 1896, of five comrades, First Wisconsin Volunteers.

Records show these men were present with command.

Assistant Secretary Doe awards, November 14, 1896.

One medal issued November 20, 1896.

1232. Durham, John S., Company F, First Wisconsin Infantry.

Case No. 1338 (530247). Gettysburg, Pa., July 2, 1863. Regiment falling back, this soldier, bearing national colors, returned in face of enemy's fire, pulled regimental flag from under body of bearer, saved flag from capture, brought both colors off field.

Senator Lodge, October 10, 1898, applies for medal for this man; incloses letter of Capt. L. E. Jenkins, First Massachusetts Infantry.

Petition, March 17, 1898, surviving members First Massachusetts Infantry for medal for this man.

This petition is signed by Lieut. Drury, Sergt. Murphy, and nine other comrades, eyewitnesses.

No special mention found in records of Adjutant General's Office.

Petitioners all present at engagement mentioned.

March 11, 1899, Assistant Secretary Melklejohn awards.

One medal issued March 29, 1899.

1338. Allen, Nathaniel M., Company B, First Massachusetts Infantry.

Case No. 1226 (389238). Cedar Mountain, Va., August 9, 1892. Seized fallen flag regiment, bearer killed, carried it forward, faced severe fire, shot down, permanently disabled, kept flag flying.

August 30, 1897, this man applied for medal; statement July 19, 1897, Lieut. W. Burns, Fifth Connecticut Infantry, describes incident.

January 5, 1867, Maj. Gen. T. J. Wood specifically mentions this man and the incident, requesting two brevets.

Newspaper clipping, December 1, 1896, "Connecticut's tribute, also Hartford Times."

Newspaper description of Battle Cedar Mountain, Va., mentions this man.

History of Fifth Connecticut Volunteers mentions this man specifically.

Letter of Capt. A. P. Rely, October 23, 1863, specifically mentions this man.

August 12, 1897, Secretary Alger awards.

One medal issued September 10, 1897.

1226. Corliss, George W., Fifth Connecticut Volunteers.

Case No. 1795 (398011). Lynchburg, Va., June 18, 1864. Voluntarily led charge on Confederate battery (officers of company being disabled) and compelled its hasty removal.

September 20, 1894, George B. Gardner requests medal for this man; incloses affidavit, September, 1894, of Solomon Uhl.

Gen. McCook affidavit, August 14, 1894, substantially same as above.

Affidavit of William Wilson, same.

November 27, 1894, Assistant Secretary Doe awards for most distinguished gallantry.

One medal issued December 27, 1894.

1795. Mostoller, John W., Company B, Fifty-fourth Pennsylvania Volunteers.

Case No. 1405 (493068). Gettysburg, Pa., July 1-3, 1863. Gallant and courageous conduct as color bearer. Carried colors of regiment through 13 engagements.

January 28, 1866, this man asks for medal, cites incident; incloses extracts of report of Gen. Ward, brigade commander, who specifically mentions for suitable reward which is given gallant soldiers.

Maj. Gen. W. Moore, Ninety-ninth Pennsylvania Volunteers, specifically mentions this man.

Newspaper clipping, February 25, 1864, Philadelphia Bulletin, describing flag presentation to this man.

One medal issued February 5, 1866.

1405. Munsell, Harvey M., Company C, Ninety-ninth Pennsylvania Volunteers.

Case No. 1255 (337377). Lee's Mills, Va., April 16, 1862. Rescued the colors of his regiment under heavy fire, color bearer having been shot while troops were in retreat.

June 28, 1892, T. S. Peck, adjutant general, Vermont, requests medal for this man; cites Col. Lord's (Sixth Regiment commanding) report, April 17, 1862, and General Orders 36, Second Brigade, Smith's division. Gen. W. T. Brooks specifically mentions incident.

July 1, 1892, Schofield recommends award "worthy gratitude of regiment, but was not, in my judgment, one of those most distinguished acts for which medals are awarded."

July 2, 1892, Secretary of War, having personally considered case, awards.

One medal issued July 9, 1892.

1255. Holton, Edward A., Company F, Sixth Vermont Volunteers.

Case No. 1782 (94108). Honey Hill, S. C., November 30, 1864. After several unsuccessful efforts to save three pieces abandoned artillery, this man led small force 100 yards in advance of Union lines and brought in the guns, preventing their capture.

Official report, November, 1864, Col. H. L. Chipman, One hundred and second United States Colored Troops, specifically mentions.

Maj. Clark, commendatory report, April, 1865.

January 17, 1887, Capt. Bennett, One hundred and second United States Colored Troops, requests medal for this man.

December 26, 1889, this man applies for second medal; cites extracts from official reports, contemporaneous.

Second medal denied, as not being most distinguished, as described in extract of Maj. Clark's report.

One medal issued March 9, 1887.

1782. Bennett, Orson W., Company A, One hundred and second United States Colored Troops.

Case No. 1272 (514907). Glendale, Va., June 30, 1862. This soldier, a drummer boy, took gun of sick comrade, went into fight; color bearers shot down, carried colors, saved them from capture.

February 28, 1865, Col. J. C. Briscoe, One hundred and ninety-ninth Pennsylvania Volunteers, recommends this man for award on account of gallantry.

Maj. Gen. T. W. Eagan, February 28, 1865, concurs.

C. A. Dana says "to have medal."

March 1, 1865, chief clerk orders engraving thereof.

One medal issued March 1, 1865.

1272. Levy, Benjamin, Company E, Fortieth New York Volunteers.

Case No. 1824 (525112). Wilderness, Va., May 6, 1864. While color bearer rallied retreating troops, induced them to check enemy's advance.

Affidavit of this man, April 18, 1870, applies for medal; incloses letter Maj. S. B. Spooner, Forty-sixth Massachusetts, commendatory, dated May 17, 1863.

Certificate Lieut. Amerron, Forty-sixth Massachusetts, April 11, 1870.

Letter Brig. Gen. W. F. Bartlett, Forty-sixth Massachusetts, April 10, 1870. One medal issued April 30, 1870.

1824. Karpeles, Leopold, Company E, Fifty-seventh Massachusetts Infantry.

Case No. 1402 (308400). Lookout Mountain, Tenn., November 24, 1863. Case No. 1589 (308400). Peach Tree Creek, Ga., July 20, 1864. 1402 waved colors to save lives men being fired upon by own batteries, thereby drew upon himself concentrated fire enemy. 1589 severely wounded and ambushed by enemy; stripped colors from staff, brought them back into line.

December 9, 1891, Gen Barnum requests medal for these two men.

Resolutions August 18, 1891, survivors One hundred and forty-ninth New York Volunteers describe incident.

December 16, 1891, Schofield recommends and Acting Secretary of War personally considered cases and awarded.

Two medals issued January 12, 1892.

1402. Kiggins, John, One hundred and forty-ninth New York Volunteers.

1589. Crosier, W. H. H., One hundred and forty-ninth New York Volunteers.

Case No. 1339 (492390). Missionary Ridge, Tenn., November 25, 1863. As color bearer, led regiment in assault, wounded, carried flag to enemy's works, again wounded. In brigade of eight regiments this was first flag planted on parapet.

September 4, 1897, this man applies for medal, submitting affidavits.

Reports made by Maj. White and Capt. B. F. Hagler; pages 215-216, series I, volume 31, Part II, R. R., this man is specially mentioned, describing incident.

Secretary Alger, September 21, 1897, awards.

One medal issued September 28, 1897.

1339. Banks, George L., Company C, Fifteenth Indiana Infantry.

Case No. 1397 (345184). Salem Heights, Va., May 3, 1863. Seized colors of his regiment and gallantly rallied men under severe fire.

Letter, September 24, 1892, J. H. Moffitt, ex-Congressman, eye witness, asks medal for this man.

Gen. Ainsworth, October, 1892, submits papers as basis of award.

Specifically mentioned in report Col. J. J. Seaver, May 9, 1863, page 587, series I, volume 25, Part I, R. R.

September 27, 1892, Schofield recommends medal and Acting Secretary having personally considered case awards.

One medal issued October 10, 1892.

1397. Gilmore, John C., Sixteenth New York Volunteers.

Case No. 1403 (230237). Missionary Ridge, Tenn., November 23, 1863. Seized colors of regiment at critical moment, planted them on captured works on crest of Missionary Ridge.

Maj. Baumbach, Twenty-fourth Wisconsin, submits statement dated June 7, 1890.

Affidavits, J. E. Armitage, May, 1890; Capt. E. B. Parsons, Twenty-fourth Wisconsin; L. Allaison, lieutenant, April, 1890, ask medal for this man.

Schofield, June 21, 1890, states this case is "conspicuously merited" and Grant awards.

One medal issued June 30, 1890.

1403. MacArthur, Arthur, jr., Twenty-fourth Wisconsin Volunteers.

Case No. 1223 (491074). Bull Run, Va., August 30, 1862. Flag of regiment abandoned in retreat, returned with one companion, under heavy fire secured and brought flag, companion killed.

August 21, 1897, Congressman Loudenslager asks medal for this man.

Letter applicant June 18, 1897, describes incident; indorsed and sworn to by three comrades August 7, 1897; newspaper clipping, no date, describes incident; June 19, 1897, affidavit John J. Olden.

August 31, 1897, Secretary Alger awards.

One medal issued September 17, 1897.

1223. Conner, Richard, Company F, Sixth New Jersey Volunteer Infantry.

Case No. 1590 (517565). Petersburg, Va., July 30, 1864. Planted colors on Confederate works in advance of regiment; when regiment driven back to Union works, carried colors there and bravely rallied men.

Col. O. P. Stevens, Thirty-ninth United States Colored Troops, October 16, 1865, recommends for brevet and describes incident.

Gen. Ruger disapproves, as commissioned officers of colored troops are white; enlisted men should not be brevetted to grade of commissioned officers.

Gen. Meade, October 31, 1865, recommends medal; states enlisted men of white troops have been brevetted and this militates against colored soldiers being rewarded. Conspicuous incident and recommends as, under existing practice brevet can not be conferred, medal recommended.

Secretary of War concurs and awards as recommended.

One medal issued November 8, 1865.

1590. Dorsey, Decatur, Company B, Thirty-ninth United States Colored Troops.

Case No. 1281 (268082). Gaines Mill, Va., June 27, 1862. Voluntarily took up regimental colors after several color bearers shot, carried them until wounded.

H. D. Stevens, editor, January 13, 1891, asks for medal for this man; mentions incident.

Applicant is a Congressman.

Letter February 10, 1891, L. Donaldson, submits history of Clinton and Franklin Counties, N. Y., sworn to as copy from this history, giving notes on muster roll Sixteenth Regiment list of casualties; mentions incident.

February 25, 1891, Schofield recommends and Assistant Secretary awards.

One medal issued March 3, 1891.

1281. Moffitt, John H., Company C, Sixteenth New York Volunteers.

Case No. 1401 (478299). Marye's Heights, Va., May 3, 1863. With one companion advanced beyond regiment, which had been broken in assault, halted beneath crest. Following example of these two men, colors brought to summit, regiment advanced, position held.

Congressman Simpson, May 3, 1895, applies for medal for this man.

Affidavit E. Manley, Seventh Massachusetts, April, 1897.

Two statements of applicant.

April 27, 1897, Purcell, Seventh Massachusetts, affidavit.

Secretary Alger, August 4, 1897, awards.

One medal issued September 10, 1897.

1401. Holehouse, James, Company B, Seventh Massachusetts Volunteers.

Case No. 1587 (7065D88). Cold Harbor, Va., June 3, 1864. Two color bearers having been shot, this man rushed forward, under heavy fire, after removing body of bearer from flag, secured same and returned with it to Union lines.

This man, in affidavit, May 16, 1888, requests medal; James Tucker, July 5, 1888, indorses same.

Comrade W. O. Wilder, July 30, 1888, affidavit.

Certificate Col. Josiah Pickett, Twenty-fifth Massachusetts, July 15, 1888.

August 28, 1888, Schofield recommends award; approved by Secretary and awarded.

One medal issued September 14, 1888.

1587. Casey, David, Company C, Twenty-fifth Massachusetts Volunteers.

Case No. 1342 (835B EB80). Fredericksburg and Salem Heights, Va., May 3, 4, 1863. Severely wounded while carrying colors, continued at post, under fire, until ordered to rear.

January 17, 1880, Capt. R. M. Davies, Sixty-second New York Volunteers, requests medal for this man.

Mentioned in letter Third Brigade, Third Division, Sixth Artillery Corps, May 27, 1863, for conspicuous gallantry worthy of especial notice, and recommended for medal.

Charge of desertion removed October 14, 1880; question "Shall medal of honor requested be now granted?" Signed Secretary D.

November 24, 1880, it is noted that this man is awarded a medal for gallantry.

One medal issued November 24, 1880.

1342. Brown, Edward, Jr., Company G, Sixty-second New York Volunteers.

Case No. 1163 (500212). Vicksburg, Miss., May 22, 1863. This man, color bearer, pressed forward in the assault and planted his flag on parapet of enemy's works; regiment having fallen back, he and colors were captured.

Affidavit Charles I. Evans, November 27, 1897.

Report Lieut. Col. S. Parks, Ninety-ninth Illinois Infantry, incident mentioned page 613, volume 24, Part II, R. R.

Statement of applicant December 28, 1897.

Secretary Alger awards March 22, 1898.

One medal issued April 1, 1898.

1163. Higgins, Thomas J., Ninety-ninth Illinois Infantry.

Case No. 1793 (322002). New Hope Church, Ga., May 27, 1864. Voluntarily exposed himself to fire of Confederate sharpshooter, thus drawing fire upon himself and enabling comrade to shoot the sharpshooter.

February 13, 1892, Col. L. S. Willson makes statement and requests medal for this man, describing incident.

E. A. Merritt, March 14, 1892, recommends medal, describing incident.

Congressman Curtis, March 16, 1892, requests medal for this man.

Schofield, March 23, 1892, states papers in this case lack usual character of testimony necessary in such cases; testimony eyewitnesses required.

In view of certificate of Col. Willson and his narrative, no mistake can, I believe, be made in awarding medal as requested. (Schofield.)

Assistant Secretary, having personally reviewed case, awards.

One medal issued April 6, 1892.

1793. Johnson, Follett, Company H, Sixtieth New York Volunteers.

Case No. 1829 (399041). Crosbys Creek, Tenn., January 14, 1864. Captured, singlehanded, Confederate general during a charge upon enemy.

October 13, 1894, brother applies for medal for this man; incloses newspaper clipping from The Blue and the Gray, not dated.

Gen. W. J. Palmer, February 14, 1864, in general orders specifically mentions this man.

November 1, 1894, Acting Secretary of War considers case meritorious, but further evidence eyewitnesses required.

Letter Col. W. J. Palmer, Fifteenth Pennsylvania Cavalry, November 9, 1894; certified copy regimental order dated February 14, 1864, in which is noted that 1829 captured Gen. Lance.

Petition signed by seven officers of the regiment April 14, 1864, for the appointment of this man as an officer in Fifteenth Pennsylvania Cavalry.

Copy of letter of Gen. R. B. Vance, September 3, 1887.

November 20, 1894, Acting Secretary Doe awards.

One medal issued December 3, 1894.

1829. Anderson, Everett W., Company M, Fifteenth Pennsylvania Cavalry.

Case No. 1822 (361916). Honey Hill, S. C., November 30, 1864. While under severe fire of the enemy, which drove back command, rendered valuable assistance in rallying men.

Commander LaFayette Post, A. G. Mills, March 17, 1893, applies for medal for 1822, inclosing resolutions recommending medal.

Extract Rebellion Records: Maj. Gen. J. G. Foster, Gen. Sheridan, Maj. George B. Davis, showing gallantry in action; these copies verified; very commendatory.

October 10, 1893, Grant awards for conspicuous gallantry at Honey Hill, S. C.

One medal issued August 21, 1893.

1822. Gouraud, George E., brevet Lieutenant colonel, United States Volunteers.

Case No. 1344 (411503). Gettysburg, Pa., July 2, 1863. Seized the colors and advanced with them after the color bearer had been shot.

March 21, 1895, Congressman Tracey forwards application of Lieut. Col. H. L. Crandall, who recommends this man for medal, describing incident.

Report signed by Lieut. Col. Hyde, commanding One hundred and twenty-fifth New York, mentions this man as entitled to medal on account of distinguished gallantry.

Capt. N. Penfield, August 8, 1864, mentions this man in his report.

April 3, 1895, Assistant Secretary Doe denies medal; evidence insufficient.

Affidavits Col. Crandall, Surg. W. Akin, Capt. L. Churchill, and comrades Sweet and Mullins submitted.

On this additional evidence Assistant Secretary Doe awards.

One medal issued June 11, 1895.

1344. Clark, Harrison, Company E, One hundred and twenty-fifth New York Volunteers.

Case No. 1791 (415991). Alsop's Farm, Va., May 8, 1864. Voluntarily held important position under fire.

April 29, 1895, this man asks for medal, inclosing affidavit, dated April 16, 1895, Lieut. Col. McFarlane, commanding Ninety-fifth Pennsylvania Volunteers; April 1, 1895, Capt. G. P. Wood, Ninety-fifth Pennsylvania Volunteers, states: "Was detailed on this duty." Affidavit, April 23, 1895, Maj. F. J. Randall, Ninety-fifth Pennsylvania Volunteers: "Detailed."

June 5, 1895, Assistant Secretary Doe inquires if service was voluntary.

Letter Capt. G. P. Wood, August 31, 1895, states service was voluntary.

August 31, 1895, statement of applicant.

October 18, 1895, Assistant Secretary Doe awards.

One medal issued October 24, 1895.

1791. Galloway, George N., Company G, Ninety-fifth Pennsylvania Infantry.

Case No. 1792 (458907). Atlanta, Ga., July 22, 1864. Voluntarily carried musket in ranks of regiment; rendered heroic service in retaking Federal works which had been captured by enemy.

September 16, 1896, R. O. Oliver, president Fifty-fifth Illinois Veterans' Association, asks medal for this man.

September 15, 1896, affidavit Lieut. Jacob Fink, Fifty-fifth Illinois.

May 19, 1896, affidavit J. Keeley, editor Chicago Tribune; extracts newspaper, 1864.

October 26, 1896, affidavit Sergt. T. Schuldt, Fifty-fifth Illinois.

October 26, 1896, Assistant Secretary Doe awards.

One medal issued November 3, 1896.

1792. Haney, Milton L., chaplain Fifty-fifth Illinois Volunteer Infantry.

Case No. 1780 (334829). Cedar Creek, Va., October 19, 1864. Took command of and led brigade in assault on enemy's works.

June 8, 1892, T. S. Peck, adjutant general of Vermont, requests medal for this man; cites contemporary reports.

April 15, 1865, Adj. Gen. Merritt Barber, commendatory.

February 23, 1865, Gen. H. G. Wright, commendatory indorsement; requests to have resignation revoked.

Gen. Geddy, April 20, 1865, specifically mentions.

June 13, 1892, Schofield recommends medal, and Acting Secretary having personally considered case, awards.

One medal issued June 24, 1892.

1780. Tracy, Amasa S., Second Vermont Infantry.

Case No. 1828 (347822). Fort Stevens, D. C., July 12, 1864. Rallied company at critical moment during change of position, under fire.

September 11, 1892, Capt. O. B. Morrison, Volunteer Reserve Corps, incloses his own affidavit and asks medal in behalf of this man; describes incident.

Nothing in records showing distinguished conduct mentioned.

November 8, 1892, Schofield recommends award, and Secretary of War having personally considered case, awards, November, 1892.

One medal issued December 15, 1892.

1828. Wray, William J., First Volunteer Reserve Corps and Twenty-third Pennsylvania Infantry.

Case No. 1836 (350200). Cold Harbor, Va., June 7, 1864. After making successful personal reconnaissance, gallantly led skirmishers in night attack, charging enemy, thus enabling pioneers to put up works.

November 12, 1892, Lieut. Col. (One hundred and sixty-fourth New York Volunteers) W. De Lacey asks for medal and recommends this man.

November 28, 1892, Secretary of War advises Gen. De Lacey that there is nothing of record showing distinguished service mentioned; wishes further evidence.

October 30, 1893, Gen. De Lacey submits letter of Capt. B. O'Reilly, Company E, One hundred and sixty-fourth New York Volunteers, giving additional details; eyewitness.

December 7, 1893, Grant awards.

One medal issued December 18, 1893.

1836. Doody, Patrick, Company F, One hundred and sixty-fourth New York Infantry.

Case No. 1834 (472607). Waynesboro, Ga., December 4, 1864. While acting aid-de-camp, three times asked permission to join regiment in proposed charge upon enemy; having obtained permission, joined regiment, fought bravely at its head throughout action.

March 13, 1897, personal letter of this man to Secretary Alger.

March 25, 1897, this man asks for medal, citing official records as basis.

Is specially mentioned in report of December 24, 1864, Col. Atkins, Ninety-second Illinois Mounted Infantry, brigade commander.

July 19, 1897, Secretary Alger awards.

One medal issued August 2, 1897.

1834. Cockley, David L., Company D, Tenth Ohio Cavalry.

Case No. 1831 (8703-93). Davenport Bridge, Va., May 10, 1864. By gallant charge against superior force, extricated command from perilous position to which it had been ordered.

Gen. W. Merritt, May 3, 1893, recommends this man for medal, describing incident and citing mention of this man in his report of 1864.

August 22, 1893, Assistant Secretary Grant awards.

One medal issued September 1, 1893.

1831. Arnold, Abraham K., Fifth United States Cavalry.

Case No. 1830 (269512). Petersburg, Va., June 15, 1864. New Market Heights, Va., September 29, 1864. First man of Eighteenth Corps to enter enemy's works. Vallant service in desperate assault, inspiring Union troops by example of steady courage.

Gen. A. S. Duncan, December 20, 1890, asks medal for this man, describing incident.

October 16, 1864, specifically mentioned for bravery in letter signed by regimental commander Fourth United States Colored Troops, Boernstein.

February 3, 1891, Schofield recommends medal; medal fully merited.

Assistant Secretary having personally reviewed case, awards, February 5, 1891.

One medal issued February 18, 1891.

1830. Appleton, William H., Fourth United States Colored Troops.

Case No. 1837 (374260). Boydton Plank Road, Va., October 27, 1864. Charged at head of two regiments, which drove enemy's main body; gained crest of hill near Burgess house; forced barricade on Boydton Road.

Past Commander S. F. Burdett, September 30, 1893, asks medal for this man.

Gen. John Gibbon, November 7, 1864, specifically mentions 1837 as pre-eminently entitled to a special mention; repeatedly demonstrated gallantry and soldierly conduct on the field; repeatedly recommended for promotion without effect.

Brig. Gen. T. W. Egan, October 27, 1864, specifically mentions this man: specially recommended for gallantry and distinguished services.

Gen. Hancock, November 9, 1864, recommends for marked gallantry; this man accompanied major general commanding to Washington to witness presentation of colors surrendered by Lee's Army.

September 11, 1893, Secretary of War having personally considered case awards.

One medal issued October 19, 1893.

1837. Embler, Andrew H., New York Volunteers, United States Volunteers.

Case No. 1839 (315908). Atlanta, Ga., July 22, 1864. Charged enemy's works and after their capture defended position against assault until severely wounded.

This man writes to Senator Sherman, February 2, 1892, asking for medal; forwarded to Adjutant General or consideration.

Gen. Howard recommends or brevet December 17, 1864, for special gallantry at battle before Atlanta.

Gen. Lew Wallace, 1862, commendatory report.

Col. M. D. Leggett, Seventy-eighth Ohio, mentions this man as distinguished.

Schofield states it is a question which battle should be taken from the brilliant record; selects Atlanta, in which he was wounded, as basis.

One medal issued March 31, 1892.

1839. Force, Manning F., United States Volunteers.

Case No. 1796 (238607). Atlanta, Ga., July 28, 1864. Orderly to brigade commander, voluntarily led two regiments, as reinforcements, into line of battle, where he had horse shot under him.

July 7, 1890, Congressman Outhwaite requests early action on petition from this man for medal; petition signed by captain, first lieutenant Company A. One hundred and twenty-seventh Illinois, and lieutenant colonel of the regiment, recommending promotion of the drummer boy 1796 for heroic services.

Statement Gen. J. A. J. Lightburn commendatory.

Veteran Association One hundred and twenty-seventh Illinois Veterans signed by numerous comrades recommends medal.

Lieut. Col. F. S. Curtis and Brig. Gen. Lightburn highly indorse petition.

Schofield, July 14, 1890, recommends award and Grant awards.

One medal issued July 22, 1890.

1796. Murphy, Robinson B., Company A, One hundred and twenty-seventh Illinois Volunteers.

Case No. 1297 (540247). Pea Ridge, Ark., March 7, 1862. Under heavy fire, great personal peril, went to aid dismounted comrade; surrounded by enemy; took man up behind him on horse; carried him to place of safety.

February 23, 1899, Congressman Lacey submits application for medal.

Statement Lieut. Col. Trimble, Third Iowa Cavalry, January 21, 1899, also certificate, dated May 25, 1898, by same officer; Col. John W. Noble indorses same July 5, 1898.

Statement Maj. C. A. Stanton, January 30, 1899, not eyewitness but learned it from other soldiers.

Statement Silas Roll, Third Iowa Cavalry, also indorsed by Col. Noble, July, 1898.

Certificate May 30, 1898, signed by two noncommissioned officers, a captain and a first lieutenant of Third Iowa.

Certificate and statement Capt. W. G. Wilson, Third Iowa, May, 1898.

Certificate M. L. Baker, captain, June, 1898.

Certificate Pvt. Elliott, January, 1899.

February 25, 1899, Asst. Secretary Melklejohn awards.

One medal issued March 6, 1899.

1297. Power, Albert, Company A, Third Iowa Cavalry.

Case No. 1305 (410755). Stone River, Tenn., December 29, 1862. Was first man to cross river, and in face of galling fire from concealed skirmishers of enemy, led men up hillside, driving opposing skirmishers before them.

W. S. Marshall, late adjutant Fifty-first Iowa, applies for medal for this man, March, 1895, with eight comrades describing incident.

Statement dated February 20, 1895, by Marshall, late adjutant.

Extract report dated January 4, 1863, Col. Streight, mentions for distinguished services.

March 21, 1895, Asst. Secretary Doe notes "a gallant officer, but not sufficient evidence for medal."

Supplemental report August 22, 1895, Gen. Stanley letter, "no knowledge of 1805's services at battle Stone River"; states if it can be shown that this man drew his company into line and cleared the bank of the river he would recommend.

No letter received from Wood.

May 26, 1897, Congressman Hull writes in regard to claim for medal; incloses affidavits, July 22, 1897, J. P. Smith, J. A. Givens, D. D. Wright, captain Fifty-first Indiana, J. E. Proctor, sergeant, and M. T. Anderson, captain, Fifty-first Indiana Volunteers; Congressman Hull states he did not go over the papers but in short conversation with Maj. Davis regards case as specially deserving.

September 20, 1897, Secretary Alger awards.

One medal issued September 28, 1897.

1305. Russell, Milton, Company A, Fifty-first Indiana Infantry.

Case No. 1314 (667598). Warwick Courthouse, Va., April 6, 1862. When shell struck ammunition chest, this soldier procured water and extinguished the fire, thus preventing explosion of remainder of ammunition.

Congressman Vreeland makes application; affidavit of 1314.

Extract report of Gen. E. D. Keyes who mentions this man; affidavit Owen L. Daniels, December, 1901; affidavit T. F. Wilcox, March, 1902; affidavit John

Middick, December, 1901; affidavit Ezra Niles, March, 1902, describing incident, all of Battery E, New York Light Artillery.

This case was reviewed by Gen. Young's board, July, 1902; medal honor recommended; approved by Secretary Root July 19, 1902.

One medal issued August 6, 1902.

1314. Smith, David L., Company E, First New York Light Artillery.

Case No. 1324 (410772). Waterloo Bridge, Va., August 25, 1862. Voluntarily assisted in the burning and destruction of bridge under heavy fire of enemy. February 10, 1895, Dr. Hollenbeck asks for medal for this man.

Three affidavits, January, 1895: A. H. Krom, Rev. P. Krohn, and Eugene Pratt, eyewitnesses, comrades.

Narrative incident, not attested, submitted.

Extracts from reports of Gen. Pope and Gen. Buford, 1862.

Gen. Siegel and Gen. Milroy mention destruction of bridge, but no officers or men mentioned, August 24, 1862.

March 30, 1895 returned for information; names of any other participants.

Dr. Hollenbeck, April, 1895, submits second letter, knows of no other names, but gives names of some of the comrades obtained from Lieut. Ed. Tollis, now of Attica, N. Y.

June, 1895, medal awarded by Secretary Doe.

One medal issued June 11, 1895.

1324. Tribe, John, Company G, Fifth New York Cavalry.

Case No. 1277 (626161). Pittsburg Landing Tenn. April 6 1862. Severely wounded while endeavoring at risk of life to carry to place of safety a wounded and helpless comrade.

August 2, 1900, Congressman Warner writes for medal for this man.

March 30, 1900, sworn statement of S. M. King, eyewitness.

Affidavit of 1277, March, 1900, in regard to incident.

August 21, 1900, medal awarded by Acting Secretary Meiklejohn.

One medal issued August 27, 1900.

1277. McDonald, John Wade, Company E, Twentieth Illinois Infantry.

Case No. 1296 (212971). Sinking Creek Valley Va. November 26 1862. Distinguished services in raid; with 20 men charged and captured enemy's camp, 500 strong, without loss of man or gun.

May 20, 1890, this man applies for medal, inclosing paper read by him before Loyal Legion in March, 1889.

Indorsement George Crook, February 7, 1889, who regards part taken by this man in expedition as the most daring, brilliant, and successful of the whole war.

In view of Gen. Crook's indorsement Schofield recommends medal and Assistant Secretary awards.

One medal issued July 22, 1890.

1296. Powell, William H., Second West Virginia Cavalry, Company B and BMG United States Veterans.

Case No. 1276 (452661). Corinth, Miss., October 3, 1862. While on duty as provost marshal, voluntarily assumed command of company, then, under fire, so continued until repulse and defeat enemy following day; loss of company during this battle very great.

June 9, 1896 this man applies for medal, inclosing affidavits, April, 1896, H. M. Corbin, Louis Garber, Joel Strong, Wm. B. White, and Christian Happell, all comrades of Tenth Missouri.

Extract order appointing this man as provost marshal September, 1862.

July 2, 1896, Acting Secretary Doe awards.

One medal issued July 9, 1896.

1276. McCammon, William W., Twenty-fourth Missouri Infantry.

Case No. 1273 (446016). Secessionville, S. C., June 16, 1862. Returned in face enemy's fire, rescued exhausted man of his company, who would have lost his life from drowning in morass through which troops were retiring.

October 17, 1893, this man applies for medal and adjutant general requires evidence and application of disinterested party.

February 19, 1894, Gen. G. Pennypacker recommends for medal inclosing affidavit, March 13, 1894, of David M. Cloud; affidavit James Graaf, dated March 14, 1894.

April 11, 1894, Acting Secretary Doe denies medal; evidence insufficient.

March 24, 1896, affidavit Edward Townsend.

March 28, 1896, affidavit L. A. Routh.

Extract report Col. Guss, Ninety-seventh Pennsylvania, dated June 18, 1862, describing engagement.

Assistant Secretary Doe awards April 18, 1896.

One medal issued April 23, 1896.

1273. Lewis, DeWitt Clinton, Company F, Ninety-seventh Pennsylvania Infantry.

Case No. 1300 (467773). Malvern Hill, Va., July 1, 1862. Having been wounded and directed to rear, declined to go; continued in action, receiving several additional wounds which resulted in his capture and total disability for military service.

February 23, 1897, Congressman Sulzer requests medal for this man; supported by affidavits, February, 1897, of Sergt. J. P. Lonesgan and William Farrington, both of the Sixty-ninth New York Infantry.

Sick record shows wounded.

July 23, 1897, Secretary Alger awards.

One medal issued August 2, 1897.

1300. Rafferty, Peter, Company B, Sixty-ninth New York Volunteers.

Case No. 1298 (568-94). Stone River, Tenn., December 31, 1862. Voluntarily rescued body of commanding officer who had fallen mortally wounded.

December 8, 1893, Gen. F. Fessenden asks medal for this man; describes incident.

November 10, 1893, Gen. Anson G. McCook describes incident and recommends.

January 10, 1894, statement of applicant.

Affidavit of John Ward and joint affidavits of three comrades, House, Hazard, and Farrell, Nineteenth United States Infantry.

September, 1890, affidavit of O. P. Parsons.

January 16, 1894, Gen. Schofield recommends, and Assistant Secretary Doe awards, January 19, 1894.

One medal issued February 3, 1894.

1298. Prentice, Joseph R., Company E, First Battalion Nineteenth United States Infantry.

Case No. 1316 (377223). Pittsburg Landing, Tenn., April 6, 1862. Although twice wounded and crippled for life, remained fighting in open ground to close of battle.

November 17, 1893, Lieut. Col. E. E. Bowen, Fifty-second Illinois Infantry, requests medal for this man, giving incident.

Affidavit of applicant quoted in Adjutant General's Office record.

December 8, 1893, Grant awards.

One medal issued January 15, 1894.

1316. Spalding, Edward B., Company E, Fifty-second Illinois Infantry.

Case No. 1312 (465602). Fredericksburg, Va., December 13, 1862. Carried dangerously wounded comrade into Union lines, thereby preventing his capture by enemy.

December 31, 1896, Col. A. J. Sellers, Ninetieth Pennsylvania Volunteers, incloses letter of Lieut. Bond, dated December 28, 1896.

Affidavits December 21, 1896, First Sergt. W. H. Paul and Sergt. Hasson, both of Ninetieth Pennsylvania Volunteers.

January 15, 1897, Assistant Secretary Doe awards.

One medal issued January 21, 1897.

1312. Shiel, John, Company E, Ninetieth Pennsylvania Volunteers.

Case No. 1310 (411828). Fair Oaks, Va., May 31, 1862. Remained to close of battle although severely wounded.

March 26, 1895, Gen. H. J. T. Dana asks medal for this man; gallantry at Fair Oaks, Va., describing incident.

Gen. Dana in report June 3, 1862, specially mentions 1310.

April 3, 1895, Assistant Secretary Doe wishes further information of wound.

Letter, May 9, 1895, Gen. Dana considered and June 6, 1895, Assistant Secretary Doe awards.

One medal issued June 12, 1895.

1310. Shafter, William R., Seventh Michigan Volunteers.

Case No. 1280 (496767). Sandy Cross Roads, N. C., September 4, 1862. While scouting, this man in command advance of but three or four men, came upon enemy and charged them without orders, rest of troop following; whole force enemy, 120 men, captured.

October 7, 1897, this man writes through Congressman Showalter for medal, based on pension claim.

Complete separate application and evidence required.

Affidavit, January, 1896, Col. C. C. Dodge, First New York Rifles.

November 4, 1897, Capt. E. A. Hamilton, First New York Rifles.

November 20, 1862, First New York Mounted Rifles regimental order 42 mentions this man.

March 22, 1898, Secretary Alger awards.

One medal issued April 2, 1898.

1280. Mills, Frank W., Company C, First Regiment New York Mounted Rifles.

Case No. 1289 (456496). Fredericksburg, Va., December 13, 1862. Volunteered to assist as gunner of battery upon which enemy was concentrating fire; fought with battery until close of engagement.

October 22, 1896, Gov. Coffin, of Connecticut, asks medal for this man, inclosing three affidavits; August 3, 1896, Capt. D. D. Brown, company commander, Twenty-first Connecticut; July 28, 1896, J. C. Ladd and Sergt. A. Leeds, all of Twenty-first Connecticut Volunteers.

October 26, 1896, Assistant Secretary Doe awards.

One medal issued October 30, 1896.

1289. Palmer, John G., Company F, Twenty-first Connecticut Infantry.

Case No. 1315 (400594). Washington, N. C., September 6, 1862. Took command of gun (lieutenant having disappeared), fired same so rapidly and effectively, enemy repulsed; hand-to-hand conflict over gun.

March 3, 1896, Congressman J. S. Sherman requests action on application made by this man for medal by affidavit January 21, 1896.

Affidavits of Comrades C. F. Merchand, January 15, 1896; John Malone, January 13, 1896, and J. H. Sanford, December 2, 1895.

Col. J. Mix, Third New York Cavalry, commendatory mention in report, September, 1862.

Promoted sergeant for "gallantry and meritorious conduct in engagement at Washington, N. C., on the 6th inst."

April 20, 1896, Assistant Secretary Doe states, "while not the practice to issue award on applications of persons themselves, the proof in case deemed satisfactory."

One medal issued April 24, 1896.

1315, Smith, Wilson, Company H, Third New York Light Artillery.

Case No. 1313 (322223). Gaines Mill, Va., June 27, 1862. Distinguished bravery in battle.

March 18, 1892, Col. Edward Hill, Sixteenth Michigan Infantry, asks medal for this man, inclosing statement of Lieut. Col. Hill, indorsed by Gen. D. Butterfield.

March 24, 1892, Gen. Schofield recommends medal for either Gaines Mill or Fredericksburg.

March 26, 1892, Acting Secretary awards for Gaines Mill.

One medal issued April 6, 1892.

1313. Sldman, George D., Company C, Sixteenth Michigan Infantry.

Case No. 1279 (274125). White Oak Swamp, Va., June 30, 1862. Under fire of enemy, successfully destroyed a valuable train that had been abandoned, and prevented it falling into hands of enemy.

February 25, 1891, Gen. W. B. Franklin recommends medal, and describes incident in case of 1279.

February 28, 1891, L. A. Grant states that he was not an eyewitness, but describes the engagement.

Schofield, March 2, 1891, considers favorably, and Assistant Secretary awards.

One medal issued March 10, 1891.

1279. McMahon, Martin T., captain and aide-de-camp, United States Volunteers.

Case No. 1282 (357521). McDowell, Va., May 8, 1862. After charge of command repulsed, he rushed forward with an empty gun and captured two of enemy sharpshooters.

December 14, 1801, application denied; must be from a disinterested person, and statements of others.

Sergt. Charles Farmer, Eighty-second Ohio, January 11, 1893, requests medal for this man.

Col. J. S. Robinson, regimental commander; Lieut. J. D. Mentzer, and Lieut. Col. D. Thomson, all of same regiment, make affidavits.

Joint affidavit James and Abraham Baker.

February 26, 1892, statement D. W. Rogers.

August 12, 1893, L. A. Grant awards.

One medal issued August 14, 1893.

1282, Morey, Delano, Company B, Eighty-second Ohio Volunteers.

Case No. 1292 (10706). Stone River, Tenn., December 31, 1862. Voluntarily conveyed, under heavy fire, information to commander battalion, by which said battalion was saved from capture or annihilation.

November 8, 1894, Gen. Townsend suggests medal for this man.

November 12, 1894, Gov. Flower joins in request and recommendation; also J. C. Collinsworth, adjutant general, Eighth New York; and Gen. Porter.

In 1865 this man is specifically mentioned with 14 other officers in report by Maj. Townsend.

December 12, 1894, Assistant Secretary Doe awards.

One medal issued December 12, 1894.

1292. Phlisterer, Frederick, Eighteenth United States Infantry.

Case No. 1320 (476865). Front Royal, Va., May 23, 1862. Weldon Railroad, Va., August 19, 1864. Wounded obeying an order to burn a bridge, persevering in attempt, burned bridge, prevented use by enemy. Voluntarily took place of disabled officer, undertook hazardous reconnoissance beyond lines of army, made prisoner in attempt.

April 2, 1897, this man requests medal, supported by affidavit of F. M. Smith, adjutant, First Maryland, February 8, 1897; affidavit, April 2, 1897, C. R. Cox; affidavit, April 20, 1897, Col Bowerman, Fourth Maryland.

July 19, 1897, Secretary Alger awards.

One medal issued August 2, 1897.

1320. Taylor, William, sergeant, Company H and second lieutenant Company M, First Maryland Infantry.

Case No. 1317 (284269). Perryville, Ky., October 8, 1862. In hottest part of fight, stepped in front of his colonel to shield him from enemy's fire.

May 19, 1891, A. G. McCook, colonel Second Ohio, writes recommending this man for medal, describing incident.

August 6, 1891, in the absence of the Secretary, Schofield recommends medal and awards August 8, 1891.

One medal issued August 19, 1891.

1317. Surles, William H., Company G, Second Ohio Infantry.

Case No. 1318 (360606). Corinth, Miss., October 4, 1862. Conspicuous gallantry in restoring order at a critical moment and leading regiment in charge.

March 13, 1893, Gen. Stanley recommends this man for medal, inclosing some data describing incident.

August 18, 1893, Assistant Secretary Grant awards.

One medal issued August 19, 1893.

1318. Swayne, Wager, B. M. G., United States Army, Forty-third Ohio Infantry.

Case No. 1322 (527974). Newbern, N. C., March 14, 1862. Voluntarily reconnoitered enemy's position; carried orders under hottest fire.

November 10, 1870, this man applies for medal and incloses an order of Brig. Gen. J. G. Foster, dated March 20, 1862, commendatory.

Medal ordered February 11, 1870, and given to Gen. Townsend by Mr. Davis; no further record.

One medal issued November 11, 1870.

1322. Thompson, J. Harry, surgeon, United States Volunteers.

Case No. 1306 (526943). Harpers Ferry, Va., May 26-30, 1862. Distinguished gallantry and good conduct in the defense.

February 15, 1893, this man applied for medal, describing incident and quoting Civil War records.

April 14, 1893, Capt. James E. Thorndike makes affidavit.

- February 17, 1893, Adj. Gen. Williams recommends.
- April 17, 1893, Schofield recommends to Secretary, who, April 18, 1893, awards.
- One medal issued April 25, 1893.
1306. Saxton, Rufus, brigadier general, United States Volunteers.
- Case No. 1309 (351807). Iuka, Miss., September 19, 1862. Although severely wounded, fought his battery until the cannoneers and horses were nearly all killed or wounded.
- November 29, 1892, this man applies for medal inclosing papers; papers evidently returned to applicant as requested by Secretary of War December 1, 1892.
- December 10, 1892, Schofield recommended medal for this man, and Assistant Secretary of War having personally considered this case, awards December 12, 1892.
- One medal issued December 31, 1892.
1309. Sears, Cyrus, Eleventh Ohio Light Artillery.
- Case No. 1303 (359297). Malvern Hill, Va., July 1, 1862. At critical moment brought up two regiments, which he led against enemy, himself being severely wounded.
- January 23, 1893, Cassius Peck asks medal for this man.
- January 23, 1893, Senator Proctor inclosed same to Gen. Grant.
- February 21, 1893, Schofield recommends medal on testimony of Senator Proctor and extracts official records.
- Assistant Secretary personally considers case and directs award.
- One medal issued March 11, 1893.
1303. Ripley, William Y. W., First United States Sharp Shooters.
- Case No. 1321 (517316). Newbern, N. C., March 14, 1862. In thickest of fight, where he lost leg by shot, encouraged men until carried off field.
- September 10, 1867, Gen. Burnside recommends to Gen. Grant for medal.
- July 23, 1867, affidavit Lieut. Josiah B. Drew, Twenty-third Massachusetts Infantry; heartily indorsed by Gen. Burnside September 10, 1867.
- Gen. Burnside's original application indorsed by E. D. Townsend, September 28, 1867: "medal to be given."
- One medal issued October 12, 1867.
1321. Terry, John D., Company E, Twenty-third Massachusetts Infantry
- Case No. 1259 (357241). Glendale, Va., June 30, 1862. While pursuing one of the enemy's sharpshooters, came upon two others whom he bayonnetted in hand to hand encounters.
- January 27, 1893, Corpl. C. Shambough, Eleventh Pennsylvania Reserve Corps, requests medal for this man.
- Extract history Pennsylvania Reserve Corps.
- March 16, 1893, Gen. Schofield considers insufficient and Assistant Secretary denies.
- Affidavit of 1259 November 8, 1897.
- Affidavit November 19, 1897, of Corpl Shambough.
- On additional affidavits March 22, 1898, Secretary Alger awards.
- One medal issued March 30, 1898.
1259. Howard, Henderson C., Company B, Eleventh Pennsylvania Reserve Corps.
- Case No. 1260 (471386). Fair Oaks, Va., June 1, 1862. Led Sixty-first New York Infantry in charge in which was twice severely wounded in right arm, necessitating amputation.
- March 8, 1893, Gen. Joshua L. Chamberlain requests medal for 1260, noting conspicuous gallantry in records; corroborated by Adjutant General March 14, 1893.
- March 15, 1893, Gen. Schofield recommends medal for distinguished bravery, Fair Oaks, and L. A. Grant awards as recommended.
- One medal issued March 29, 1893.
1260. Howard, Oliver O., B. M. G., United States Army.
- Case No. 1262 (277671). Antietam, Md., September 17, 1862. Led regiment in assault on strong body of enemy and kept up fight until greater part of his men were killed or wounded, bringing remainder safely out of fight.

March 25, 1891, Gen. W. B. Franklin asks medal for this man, inclosing letter March 18, 1891, of Gen. W. F. Smith.

September 22, 1862, transcripts reports of Col. W. H. Irwin, Forty-ninth Pennsylvania Infantry; September 19, 1862, Maj. T. W. Hyde, Seventh Maine Infantry; and Gen. T. H. Neill, all commendatory.

April 3, 1891, Schofield recommends and Acting Secretary, having personally reviewed case, awards.

One medal issued April 8, 1891.

1262. Hyde, Thomas W., Seventh Maine Infantry.

Case No. 1253 (372385). Pea Ridge, Ark., March 7, 1862. Was foremost in leading his men, rallying them to repeated acts of daring, until himself disabled and taken prisoner.

September 12, 1893, O. W. Bennet asks medal for comrade 1253.

Specifically mentioned in reports contemporaneous; Col. William Vandever, Col. E. A. Carr, and Maj. S. D. Sturgis mentions 1253 as distinguished.

September 20, 1893, Secretary Grant awards.

One medal issued September 26, 1893.

1253. Herron, Francis J., M. G., United States Volunteers.

Case No. 1258 (423913). Corinth, Miss., May 21, 1862. Saved the life of wounded officer lying between lines.

June 6, 1895, this man applies for medal, inclosing contemporaneous indorsement on his application for furlough May, 1863.

Drummer boy, 14 years of age.

Congressman Berry forwards and commends application for medal.

July 10, 1895, application denied; testimony two eyewitnesses required.

July 18, 1895, joint affidavits Sergts. Bruth and McMillan, both eyewitnesses.

August 9, 1895, Assistant Secretary Doe awards.

One medal issued August 17, 1895.

1258. Horsfall, William H., Company G, First Kentucky Infantry.

Case No. 1275 (498864). Fredericksburg, Va., December 13, 1862. A wounded and helpless comrade having been left on skirmish line, returned to front under severe fire, carried wounded man to place of safety.

November 15, 1897, Adj. G. H. Patrick, Eighty-second United States Colored Troops asks medal for 1275, supported by 10 documents detailed statements of Thirteenth Massachusetts, Second Maine Cavalry, and Eighty-second United States Colored Infantry.

Affidavit of 1275, October 13, 1896.

November, 1897, 22 associates ask medal for 1275.

March 22, 1898, Secretary Alger awards.

One medal issued April 1, 1898.

1275. Maynard, George H., Company D, Thirteenth Massachusetts Volunteers.

Case No. 1444 (455390). Chattanooga, Tenn., November 25, 1863. While in command regiment bravely exposed himself to fire of enemy, encouraging and cheering his men.

April 15, 1896, Maj. J. H. Headington, One hundredth Indiana Volunteers, asks medal for 1444.

April and May, 1896, statements Col. J. M. Loomis, — P. Flynn, Capt. C. N. Brouse, corroborated by 30 other comrades of One hundredth Indiana and Ninetieth Illinois.

August 15, 1896, Assistant Secretary Doe awards.

March 28, 1898, Capt. M. J. Sherlock applies for medal for 1444 action at Bentonville, N. C. Medal previously awarded for action at Chattanooga, Tenn.

One medal issued August 24, 1896.

1444. Johnson, Ruel M., One hundredth Indiana Volunteers.

Case No. 1249 (291334). Gaines Mill, Va., June 27, 1862; Rappahannock Station, Va., November 7, 1863. Although wounded, remained on duty; participated in battle with his company. While acting aid, rendered gallant and prompt assistance in re-forming regiments inside enemy's works.

July 11, 1891, this man asked for medal, supported by four contemporaneous reports, 1862-1865, Gens. Upton, J. J. Bartlett, Col. A. D. Adams, and Col. J. M. Siegfried, and September, 1889, letter of Col. Siegfried.

August 6, 1891, Schofield recommends medal (and mention of several battles) if practicable.

August 8 Acting Secretary awards medal for actions at Gaines Mill and Rappahannock Station.

One medal issued August 17, 1891.

1249. Hall, H. Seymour, Twenty-seventh and One hundred and twenty-first New York Infantry.

Case No. 1257 (336578). Gaines Mill, Va., June 27, 1862. Voluntarily carried wounded comrade, under heavy fire, to place of safety; though twice wounded in the act, continued in action until again severely wounded.

June 22, 1892, this man applies for medal, inclosing letters: April, 1891. First Sergt. E. Hall, First New Jersey Volunteers; Sergt. E. English, and Sergt. R. A. Donnelly, and Capt. J. D. Mount, First New Jersey.

Gen. Schofield June 30, 1892, recommends, and Secretary of War awards.

One medal issued July 9, 1892.

1257. Hopkins, Charles F., Company I, First New Jersey Volunteers.

Case No. 1842 (529092). Petersburg, Va., July 30, 1864. When entering charge this soldier, then 15 years of age, was cautioned not to go in, as he had not been mustered. He indignantly protested and participated in charge; left arm crushed by shell and amputated.

September 24, 1864, Capt. N. M. Gwynne, aid-de-camp, writes to Secretary Stanton to have his brother, 1842, mustered in.

Joined Company H, Thirteenth Ohio Cavalry, at age of 14 years 10 months, at Crater, Petersburg, Va.; arm shot off.

Indorsement September 24, 1864, Gen. John P. Hough, favorable consideration and recommends medal also.

December 9, 1864, J. C. Wetmore recommends medal.

Indorsement; original application also approved and forwarded by Gen. C. C. Augur, department commander.

For file with other papers of this class; seen and approved by Secretary December 10, 1864, as application for medal only. J. A. H.

Medal awarded January 3, 1865.

One medal issued January 27, 1865.

1842. Gwynne, Nathaniel McLean, Company H, Thirteenth Ohio Cavalry.

Case No. 1442 (377513). Chancellorsville, Va., April 30, 1863. Surrounded by Confederate cavalry division; led column which cut its way through opposing force; desperately wounded; captured during action.

November 15, 1893, this man asks for medal.

Letter November 21, 1893, of Gen. Merritt, commendatory.

September 15, 1864, mentioned in letter Gen. T. C. Devin and favorable indorsement by Gen. Merritt.

1863, extracts of favorable mention of 1442.

December 9, 1893, Acting Secretary notes faithful and gallant officer, but papers fail to show particular action or act.

December 12, 1893, Maj. H. A. Hall submits detailed statement of 1442.

December 10, 1893, extracts diary of Bugler T. M. Wells, Sixth New York Cavalry.

January 20, 1894, Assistant Secretary Doe denies award of medal.

February 23, 1894, Col. H. C. King letter to Secretary; also April 13, 1894.

April 3, 1896, Congressman Fairchild writes Secretary of War, inclosing additional papers.

December, 1897, letter Maj. Hall.

Letter Col. Munford, Confederate Army, October 29, 1897.

November 15, 1897, affidavit Col. Color, Sixth New York Cavalry, and Gen. Devins, 1863, extract report of engagement.

November 27, 1897, letter B. M. Medina, Fifth Virginia Cavalry.

March 22, 1898, Secretary Alger awards medal on additional testimony.

One medal issued March 30, 1898.

1442. Heermance, William L.

Case No. 1860 (518163). Petersburg, Va., July 30, 1864. In heroic effort to rally disorganized troops, disabled by severe wound; while carried from field rallied, started to return to command, received second wound which necessitated amputation leg.

April 29, 1898, Gen. O. B. Wilcox asks medal for 1860.

Sketch of life of 1860 and list of battles One hundred and ninth New York Infantry.

Letters 1864 and 1865 Gen. Wilcox (2), Hartranft, Burnside, commendatory. May 28, 1898, letter 1860 to Secretary of War asks about application of Gen. Wilcox.

December 29, 1898, Assistant Secretary Melklejohn awards.

One medal issued January 13, 1899.

1860. Catlin, Isaac S., One hundred and ninth New York Infantry.

Case No. 1859 (395040, 393667). Alabama Bayou, La., September 20, 1864. Swam bayou under fire, captured, and brought off boat by means of which command crossed and routed enemy.

April 9, 1894, Congressman Updegraff incloses letter of 1859, dated August 6, 1894.

Affidavits of J. J. Fassett, George Cressy, and letter Lieut. Col. A. L. Gurney, all of Second New York Veteran Cavalry.

Complimentary regimental order, September 24, 1864.

Denied as not in action, July 24, 1894.

Further evidence submitted August 4, 1894, by fuller statement of Lieut. B. L. Beach, Second New York Cavalry.

August 10, 1894, Assistant Secretary Doe awards.

One medal issued August 17, 1894.

1859. Cadwell, Inman L., Company B, New York Veteran Cavalry.

Case No. 1850 (354551). Todd's Tavern, Va., May 8, 1864. Led regiment in charge at critical moment, under murderous fire, until he fell, desperately wounded.

December 29, 1892. 1850 incloses papers and asks for medal.

Petition, November 26, 1892, signed by four comrades.

December 22, 1892, Gen. N. A. Miles adds his testimony.

Extract letter of Capt. I. Plumb, Sixty-first New York, June, 1864.

No mention in official records of incident referred to.

August 12, 1893, Acting Secretary Grant awards.

One medal issued August 21, 1893.

1850. Nutting, Lee, Company C, Sixty-first New York Volunteer Infantry.

Case No. 1845 (398525). Petersburg, Va., July 30, 1864, March 25, 1865. In assault at Crater and at Fort Haskell, displayed conspicuous gallantry; exposed great danger; three times wounded; lost leg.

September 5, 1892, C. A. Shaw, president Fourteenth New York Heavy Artillery Association, asks medal for this man; returned for evidence.

October 3, 1894, J. W. Kimball president Fourteenth New York Heavy Artillery Association, renews request.

Veterinary G. L. Kilmer and Sergt. William Clowninzer, both comrades, Fourteenth New York Heavy Artillery, give statements October, 1894.

Col. G. P. Robinson, March 28, 1865, recommends by name for praise, etc.

Gen. O. B. Wilcox, May 3, 1865, recommends for brevet by name.

November 30, 1894, Assistant Secretary Doe denies; splendid conduct for brevet, etc.

On letter January 19, 1877, requesting paymaster detail, reconsideration given, January 15, 1898.

March 22, 1898, Secretary Alger awards.

One medal issued.

1845. Houghton, Charles H., Company L, Fourteenth New York Heavy Artillery.

Case No. 1846 (439492). Jonesboro, Ga., September 1, 1864. First man over works of enemy, demanded and received surrender Confederate general officer and his command.

January 10, 1896, Capt. Higgins, Col. H. R. Mizner, and Maj. J. D. Morgan, all Fourteenth Michigan, petition medal for 1846.

In 1864 extracts contemporaneous reports of Col. Mizner and Col. C. M. Lum, B. C.

Denied March 27, 1896, by assistant secretary; additional testimony required furnished in joint affidavit First Sergt. Clark and Pvt. Hynes, April 11, 1896, Fourteenth Michigan comrades.

On supplemental report, April 21, 1896, Assistant Secretary Doe awards.

On medal issued April 28, 1896.

1846. Irwin, Patrick, Fourteenth Michigan Infantry.

Case No. 1856 (304554). Fishers Hill, Va., September 22, 1864. While acting as acting adjutant general went over enemy's works, mounted, with assaulting column, to gain quicker possession of guns and turn them upon enemy.

November 3, 1891, Assistant Secretary of Navy asks medal for 1856; quotes commendatory extracts of contemporaneous reports of Gen. Hunt.

Gen. Sheridan's indorsement January 28, 1885.

Letter, November 16, 1889, Gen. Doubleday, all commendatory.

November 17, 1891, Gen. Schofield notes service, gallant, meritorious, and efficient, but does not recommend.

December 23, 1891, Gen. Schofield reconsiders, and on Gen. Sheridan's statement of January 28, 1885, recommends medal as clearly within terms act of Congress.

Assistant secretary awards same date.

One medal issued January 13, 1892.

1856. Whittier, Edward N., Fifth Battery Maine Light Artillery.

Case No. 1855 (436119). Carter's farm, Virginia, July 20, 1864. Charged upon Confederate fieldpiece in advance of comrades and by individual exertions silenced same.

December 16, 1895, submits own affidavit dated February, 1890, also affidavits of Sergt. E. Hoskinson and Pvt. Alex Villers, Fourteenth West Virginia Infantry.

January 22, 1896, Assistant Secretary Doe awards.

One medal issued January 31, 1896.

1855. Shanes, John, Company K, Fourteenth West Virginia Volunteer Infantry.

Case No. 1853 (467554). Fishers Hill, Va., September 22, 1864. Was on skirmish line which drove enemy from first entrenchments and was first man to enter breastworks, capturing one of the guns and turning it upon enemy.

January 18, 1897, Congressman Shonk submits application of this man for medal, accompanied by (January, 1897) affidavits from three comrades Sixty-first Pennsylvania Infantry.

February 16, 1897, Assistant Secretary awards.

One medal issued February 16, 1897.

1853. Rhodes, Sylvester D., Company D, Sixty-first Pennsylvania Infantry.

Case No. 1844 (64469). Near Harpeth River, Tenn., December 17, 1864. At head of regiment charged a field battery with strong infantry supports, broke enemy's line and with other mounted troops captured three guns and many prisoners.

October 4, 1897, Gen. J. H. Wilson asks medal for 1844; highly commendatory contemporaneous reports 1863-64 of Gen. Stanley, Capt. J. B. McIntyre, and Gen. J. H. Wilson.

March 22, 1898, Secretary Alger awards.

One medal issued April 5, 1898.

1844. Hedges, Joseph, Fourth United States Cavalry.

Case No. 1851 (359781). Nashville, Tenn., December 15-16, 1864. Led brigade in attack upon strong position under terrific fire of grape, canister, and musketry; struck down by grape after reached enemy's works.

February 28, 1893, Gen. T. J. Wood asks medal for this man.

Extract January 5, 1895, of commendatory report of Gen. Wood; also his certificate dated March 14, 1893.

March 10, 1893, certificate Gen. D. S. Stanley.

March 13, 1893, Schofield recommends and Assistant Secretary awards.

One medal issued March 18, 1893.

1851. Post, Philip Sidney, Fifty-ninth Illinois Infantry, United States Veterans.

Case No. 1864 (335976). Spottsylvania, Va., May 12, 1864. Distinguished conduct in desperate hand-to-hand fight while commanding the regiment.

June 16, 1892, T. S. Peck, adjutant general of Vermont, asks medal for this man.

August 30, 1864, Gen. L. A. Grant's report mentions 1864, regimental commander, due thanks.

June 23, 1892, Gen. Schofield recommends and Assistant Secretary awards.

One medal issued June 30, 1892.

1864. Clarke, Dayton P., Company F, Second Vermont Volunteer Infantry.

Case No. 1865 (470787). Allatoona, Ga., October 5, 1864. Took place of gunner who had been shot, inspired comrades by bravery and effective gunnery, which contributed largely to defeat enemy.

February 22, 1897, J. R. Brand asks medal for this man; two newspaper clippings.

February, 1897, two letters and one affidavit of comrades of Twelfth Wisconsin Light Artillery.

March 2, 1897, affidavit of D. R. Brand, Twelfth Wisconsin Light Artillery.

March 5, 1897, affidavit of L. Clawson, Twelfth Wisconsin Light Artillery.

March 11, 1897, Assistant Secretary Doe awards.

One medal issued March 20, 1897.

1865. Croft, James E., Twelfth Battery Wisconsin Light Artillery.

Case No. 1857 (285343). Cemetery Hill, Va., July 30, 1864. Gallantry in action where he fell shot through the face at the head of his regiment.

May 24, 1891, this man asks if entitled to medal.

July 30, 1864, Col. J. K. Sigfried, Forty-eighth Pennsylvania Volunteers, favorable mention in recommendation for brevet.

November 19, 1864, Gen. J. G. Parke recommends promotion by brevet for distinguished services at the assault, etc.

June 11, 1891, recommended by Vincent for commanding general and Assistant Secretary of War awards.

One medal issued June 22, 1891.

1857. Bates, Delavan, Thirtieth U. S. C. T.

Case No. 1847 (501296). Fort Harrison, Va., September 29, 1864. Though twice severely wounded, disregarded injuries, and was among the first to enter fort, where he was wounded third time.

December 9, 1897, Gen. Cecil Clay asks medal for this man.

Company D, Fifty-eighth Pennsylvania Infantry roll shows commendatory incident.

September 29, 1864, Gen. E. O. C. Ord specifically mentions 1847 for conspicuous gallantry.

March 22, 1898, Secretary Alger awards.

One medal issued April 1, 1898.

1847. Johnson, Joseph E., Company B, Fifty-eighth Pennsylvania Volunteer Infantry.

Case No. 1866 (5175-89). Wilderness, Spottsylvania, Petersburg, Va., 1864. Gallantry in action.

January, 1893, House bill 2110, for relief of 1866; 1891 Reports H. R. 3343, 2131, 2118, page 104, recommendation for remission by court.

Record of three trials by general court-martial; dismissal twice, pay and confinement third case.

April 9, 1891, 1866 applies for medal.

April 4, 1891, Schofield, on favorable report of Military Committee, December 22, 1890, no valid objection to issue of medal, and Secretary of War Grant awards.

One medal issued May 2, 1891.

1866. Cutts, James M., Eleventh United States Infantry.

Case No. 1911 (63212-97). Near Bethesda Church, Va., May 31, 1864. Exposed himself to great danger by voluntarily making his way through enemy's lines to communicate with Gen. Sheridan. While rendering this service was captured, escaped, ordered to surrender, escaped by dashing away under fire.

September 27, 1897, this man submits affidavit and official application for medal, citing contemporaneous reports.

September 15, 1897, statement of applicant.

September 28, 1897, Gen. Duane's affidavit.

October 11, 1897, affidavit of Capt. B. F. Rittenhouse.

September 30, 1897, Gen. J. M. Wilson recommends, and Secretary Alger awards, October 13, 1897.

One medal issued October 27, 1897.

1911. Gillespie, George L., Corps of Engineers, United States Army.

Case No. 1862 (465036). Nashville, Tenn., December 15, 1864. When fire enemy's batteries compelled men of his detachment to seek shelter, stood manfully at post and for some minutes worked gun alone.

December 19, 1896, Lieut. A. J. Crocker, Second Illinois Light Artillery, asks for medal for this man.

December 23, 1864, Col. E. H. Wolfe, Fifty-second Indiana Infantry, in report highly commends.

January 15, 1897, Assistant Secretary Doe awards.

One medal issued January 20, 1897.

1862. Churchill, Samuel J., Company G, Second Illinois Volunteer Light Artillery.

Case No. 1869 (69317). Cedar Creek, Va., October 19, 1864. By distinguished gallantry and voluntary exposure to enemy's fire at critical moment, when Union lines had broken, encouraged men to stand to their guns; checked advance of enemy and brought off most of pieces.

April 3, 1894, Gov. William McKinley applies for medal for 1869, quoting Gen. Crook's specific mention of this man in report November 7, 1864.

Extract Gen. Conly's report January, 1885.

Report 1869 made October 31, 1864.

June 15, 1894, Assistant Secretary Doe denies medal; not for gallant leadership or faithful performance of duty.

June 15, 1894, Congressman A. Higgins cites precedents.

January 3, 1898, Maj. Brewerton asks reconsideration on additional statements and arguments.

March 22, 1898, Secretary of War awards.

One medal issued April 2, 1898.

1869. Du Pont, Henry A., Fifth United States Artillery.

Case No. 1867 (330513). Monocacy, Md., July 9, 1864. While in command small force, held approaches to two bridges against repeated assaults of superior numbers, thereby materially delaying Early's advance on Washington.

On May 9, 1892, and on May 20, 1892, T. S. Peck, adjutant general of Vermont, asks medal for 1867.

Commendatory letters, October 21, 1891, Maj. W. Lyman, Tenth Vermont; September 30, 1891, Capt. C. E. Davis, Tenth Vermont; and April 25, 1892, Col. W. W. Henry, Tenth Vermont.

Letters of 1867 to Gen. Lew Wallace and his reply, March 29, 1889, very commendatory.

May 23, 1892, Gen. Schofield recommends medal, and Assistant Secretary having personally considered case, directs award.

One medal issued May 27, 1892.

1867. Davis, George E., Company D, Tenth Vermont Volunteers.

Case No. 1861 (506787). Petersburg, Va., June 17, 1864. Though seriously wounded in bayonet charge and directed to go to rear, declined, remained with regiment, and helped to carry breastworks.

January 24, 1898, Congressman Knox incloses the January 11, 1898, affidavit of Maj. J. Colburn, Fifty-ninth Massachusetts Volunteers, and asks for medal for 1861.

March 22, 1898, Secretary Alger awards.

One medal issued March 30, 1898.

1861. Chandler, Henry F., Company E, Fifty-ninth Massachusetts Volunteer Infantry.

Case No. 1873 (228783). Bachelor's Creek, N. C., February 1, 1864. With a command of 11 men, on picket, resisted the attack of an overwhelming force of the enemy.

June 13, 1899, 1873 asks for medal, inclosing report Col. P. J. Classon, One hundred and thirty-second New York Volunteers, of engagement, February 6, 1864.

Capt. C. G. Smith, One hundred and thirty-second New York Volunteers, February 1, 1864, specially mentions 1873.

June 19, 1890, Gen. Schofield recommends medal and Assistant Secretary of War approves, after personally reviewing case, and awards.

One medal issued June 28, 1890.

1873. Haring, Abram P., Company G, one hundred and Thirty-second New York Volunteers.

Case No. 1872 (331356). Baton Rouge, La., October 11, 1864. Picked up several burning shells and put the fuse of each into water, preventing explosion and consequent loss of life.

May 18, 1892, Capt. A. G. Mack, Eighteenth Battery, New York Volunteers, affidavit and request for medal.

May 5, 1892, joint affidavit of Comrades Morgan, Barker, and Banker, of Eighteenth New York Volunteers.

May 27, 1892, Gen. Schofield notes highest heroism of this soldier; not in action, however. Believes War Department may with propriety inscribe same as coming from War Department and not from Congress.

June 3, 1892, Secretary Alger approves recommendation of Schofield.

One medal issued June 30, 1892, by War Department.

1872. Gilbert, Thomas, Eighteenth New York Independent Battery.

Case No. 1871 (495115). Varnells Station, Ga., May 9, 1864. While regiment was retreating, voluntarily gave up his horse to brigade commander, who had been unhorsed and was in danger of capture, enabling him to rejoin and rally disorganized troops. Himself captured and confined in prison; escaped and rejoined Union lines.

October 7, 1897, Col. LaGrange, First Wisconsin Cavalry, writes for medal for 1871.

December 21, 1897, affidavit of Col. LaGrange.

January 2, 1900, affidavit of 1871.

March 22, 1898, Secretary Alger awards.

One medal issued March 30, 1898.

1871. Ferrier, Daniel T., Second Regiment Indiana Cavalry.

Case No. 1876 (471991). The Wilderness, Va., May 6, 1864. This soldier, with one companion, would not retire when his regiment fell back in confusion, but advanced and continued firing upon enemy until regiment reformed and gained its position.

February 17, 1897, Congressman C. H. Brumon asks medal for 1876, inclosing joint affidavit of three comrades, Fiftieth Pennsylvania Volunteers, August 9, 1889; and November 18, 1896, affidavit of Capt. C. E. Brown, Fiftieth Pennsylvania Volunteers.

August 27, 1897, Secretary Alger awards.

One medal issued September 3, 1897.

1876. Hill, Henry, Company C, Fiftieth Pennsylvania Volunteers.

Case No. 1875 (279189). Stony Creek Bridge, Va., June 29, 1864. With detachment of three men tore up bridge at Stony Creek, being last man on bridge, and covering retreat until shot down.

March 23, 1891, Mr. Tully applies for medal for this man.

March 21, 1891, affidavit of 1875, and February and March, 1881 three comrades of Second New York Cavalry, Sergt. McFarland, M. Wright, and Henry Scott.

April 13, 1891, Gen. Schofield recommends and Assistant Secretary of War, after personally reviewing case, awards.

One medal issued April 18, 1891.

1875. Mickey, Dennis W., Company E., Second New York Cavalry.

Case No. 1874 (29632). Smithfield, Va., August 28, 1864. In attack upon largely superior force his personal gallantry was so conspicuous as to inspire the men to extraordinary efforts, resulting in complete rout of enemy.

September 13, 1895, letter recommending medal from A. D. Bernard, lieutenant colonel Ninth Cavalry, concurred in 1895 by Col. E. B. Swetzer, Lieut. Col. D. Perry, Maj. C. C. Carr, Gen. Merritt, November 26, 1895, also indorsed by Gen. Coplinger and letter September 24, 1895, Capt. Bendin, retired.

January 23, 1896, Assistant Secretary Doe awards medal.

One medal issued January 23, 1896.

1874. Harris, Moses, First Regiment United States Army.

Case No. 1884 (382252). Weldon Railroad, Va., August 19, 1864. Gallantly made most dangerous reconnoissance, discovering position of enemy, enabling division to repulse attack made in strong force.

November, 1893, Col. L. Wagner, Eighty-eighth Pennsylvania Volunteers, asks medal for this man; describes two incidents; indorsed by 38 comrades Eighty-eighth Pennsylvania.

February 16, 1894, returned for more details.

March 7, 1894, Col. Wagner forwards affidavits of W. B. Threapleton, corporal, Eighty-eighth Pennsylvania, and Assistant Secretary Doe awards March 29, 1894.
One medal issued April 5, 1894.

1884. Martin, Sylvester H., Eighty-eighth Pennsylvania Volunteers.

Case No. 1883 (6225C 87). Wilderness, Va., May 7, 1864. Gallant services and soldierly qualities in voluntarily rejoining his command after having been wounded.

June, 1887, 1883, applies for medal by affidavit; newspaper clipping, his own account.

June, 1887, certificate Maj. W. R. Hartshorne, Forty-second Pennsylvania Volunteers.

June 10, 1897, J. P. Bard, first lieutenant, First Rifles, and I. G. Blackburn, Twenty-third Ohio Infantry.

Ex-President Hayes's statement June, 1887.

Adjutant General's Office record, nothing specific.

July 20, 1887, medal awarded by President.

One medal issued July 20, 1887.

1883. Lower, Robert A., Company E, Twenty-third Ohio Volunteers.

Case No. 1878 (436817). Buzzards Roost, Ga., October 13, 1864. With only 41 men under his command, defended and held a blockhouse against attack of Hood's Division for nearly 10 hours, thus checking advance of enemy, insuring safety for balance of regiment as well as that of Eighth Kentucky, then stationed at Ringgold, Ga.

March 6, 1896, Congressman Blue filed application with 11 letters and affidavits (1896) of comrades of 1878.

Lieutenant colonel, captain, and lieutenant of 1878 for medal.

Report November 24, 1864, of Col. J. H. Moore, One hundred and fifteenth Illinois Volunteer Infantry, gives account of fight.

March 24, 1896, Assistant Secretary Doe awards.

One medal issued March 28, 1896.

1878. Hymer, Samuel, Company D, One hundred and fifteenth Illinois Volunteer Infantry.

Case No. 1301 (409741). Bull Run, Va., August 30, 1862. Picked up colors and carried them off field after color bearer shot down; himself wounded.

March 1, 1895, 1301 applies for medal.

Regimental order book, September 7, 1862, shows 1301 specifically recommended for medal by Col. Marshall, commanding Thirteenth New York Volunteers.

Assistant Secretary Doe awards medal on official records, although evidence submitted does not at all comply with department rules.

One medal issued March 23, 1895.

1301. Ranney, Myron H., Company G, Thirteenth New York Infantry.

Case No. 1885 (511062). Petersburg, Va., July 20, 1864. Picked up shell with burning fuze and threw it over parapet into ditch, where it exploded; by this act probably saved lives of comrades at great peril of his own.

February 26, 1898, Capt. J. F. Carter, Third Maryland Volunteers, in affidavit asks medal and describes incident.

General Order 4. Army of Potomac, January 4, 1865, was given furlough for 25 days by Gen. Meade.

March 22, 1898, medal awarded by Secretary Alger.

One medal issued April 4, 1898.

1885. McAlwee, Benjamin F., Company D, Third Battalion Maryland Volunteer Infantry.

Case No. 1890 (333720). Resaca, Ga., May 15, 1864. While acting as aid, assisted in preventing a disaster caused by Union troops firing into each other.

May 26, 1892, Gen. Daniel Butterfield describes service and recommends medal. 1864-65 commendatory letters Gens. Butterfield and Hooker regarding 1890.

Honorably mentioned in Rebellion Records, vol. 11, Pt. II, p. 321; vol. 12, Pt. II, p. 477; vol. 31, Pt. I, p. 95; and vol. 31, Pt. II, p. 325.

June 24, 1892, Gen. Schofield does not recommend. "Gallant and efficient, but not most distinguished."

Sept. 22, 1892, Gen. Butterfield submits additional statement on which, September 27, 1892, Gen. Schofield recommends and Acting Secretary awards.

One medal issued October 12, 1892.

1890. Oliver, Paul A., Twelfth and Fifteenth Regiments New York Volunteers.

Case No. 1604 (1098776). Cold Harbor, Va., June 3, 1864. When color bearer shot down, seized colors, and bore them gallantly in charge against enemy.

December 4, 1905, gold medal asked of Secretary of the Treasury by bill 2295. This bill was not enacted into law; Representative Samuel asked for congressional medal.

Letter December 20, 1905, St. Clair Mulholland, colonel One hundred and sixteenth Pennsylvania Volunteer Infantry.

Regimental order August 5, 1864, commends, 1604.

December 18, 1905, letter Capt. F. R. Leib, One hundred and sixteenth Pennsylvania, recommends medal.

February 13, 1906, Assistant Secretary Oliver awards.

One medal issued March 1, 1906.

1604. Seltzinger, James M. Company G, One hundred and sixteenth Pennsylvania Volunteer Infantry.

Case No. 1606 (492840). Monocacy, Md., July 9, 1864. Under heavy fire enemy saved national flag of regiment from capture.

September 8, 1897, letter T. S. Peck, adjutant general of Vermont, recommends medal and submits letters, August, 1897, of Capt. G. E. Davis, Tenth Vermont Infantry, and Gen. W. V. Henry, Tenth Vermont, commendatory.

September 21, 1897, Secretary Alger awards.

One medal issued September 28, 1897.

1606. Scott, Alexander, Company D, Tenth Vermont Infantry Volunteers.

Case No. 1307 (362018). Fredericksburg, Va., December 13, 1862. Relinquished furlough granted for wounds, entered battle, picked up colors, after several bearers had been killed or wounded, carried them until himself again wounded.

March 28, 1893, Maj. E. F. Wetmore, Twenty-sixth New York Volunteers, applies for medal for this man.

March 23, 1893, affidavit Lieut. and Adj. C. Ackerman, Twenty-sixth New York Infantry, and March 15, 1893, certificate Capt. N. W. Palmer, Twenty-sixth New York Volunteers, both recommend medal.

May 15, 1893, 1307 submits affidavit.

August 22, 1893, Assistant Secretary Grant awards.

One medal issued September 1, 1893.

1307. Schubert, Martin, Company E, Twenty-sixth New York Infantry.

Case No. 1323 (440333). Malvern Hill, Va., July 1, 1862. Voluntarily took command Ninth Massachusetts while adjutant bravely fighting from 3 p. m. until dusk, rallying and re-forming regiment under fire; twice picked up regimental flag, color bearer having been shot down, and placed it in worthy hands.

November 11, 1895, Fitz John Porter applies for medal for this man, describing incident; in 1887 indorsed by Brig. Gen. C. W. Roberts, of Maine, and John B. O'Reilly, editor of the Pilot.

April, 1893, several distinguished Boston citizens indorse.

Medal awarded March 4, 1896, and issued March 11, 1896.

Protest of Capt. T. O'Leary, Ninth Massachusetts Volunteers, and controversy.

Supplemental report Adjutant General's Office and case reconsidered.

April 29, 1896, letter of 1323 returning medal to War Department.

July 21, 1896, Assistant Secretary Doe carefully reconsiders case; surrendered medal returned to 1323.

1323. Tobin, John M., Ninth Massachusetts Volunteers.

Case No. 1887 (474449). Cedar Creek, Va., October 19, 1864. While acting chief quartermaster, Sheridan's forces in Shenandoah Valley, severely wounded while voluntarily leading brigade infantry; commended for greatest gallantry by Sheridan.

March 24, 1897, Capt. J. F. Rogers, retired, asks for medal for this man.

Gen. Sheridan, April 19, 1865, specifically mentions 1887 in reports; requests his appointment as captain in United States Army.

Two letters, March, 1897, Lieut. Col. L. Kip, staff Gen. Sheridan, recommends for medal.

July 17, 1897, Secretary Alger awards.

One medal issued July 21, 1897.

1887. McGonnigle, Andrew J., captain and assistant quartermaster United States Volunteers.

Case No. 1889 (310509). Spottsylvania, Va., May 12, 1864. Standing upon top breastworks deliberately took aim, fired no less than 15 shots into enemy's lines but few yards away.

November 5, 1891, T. S. Peck, adjutant general of Vermont, applies for medal for this man.

September 26, 1891, letter Capt. D. P. Clark, Second Vermont Volunteers, describes incident.

Report, August 30, 1864, of L. A. Grant.

March 11, 1892, Gen. Schofield says eminently deserving of medal, and Secretary of War personally considers and awards.

One medal issued March 22, 1892.

1889. Noyes, William W., Company F, Second Vermont Volunteers.

Case No. 1411 (358708). Vicksburg, Miss., June 25, 1863. Was first to plant Union colors upon enemy's works.

February 7, 1893, G. M. Stratton applies for medal for this man and Senator Perkins requests issue.

January 4, 1890, letter Gen. M. D. Leggett describes incident.

January 18, 1890, certificate Gen. J. E. Smith, colonel Forty-fifth Illinois Volunteers.

Eighteen hundred and ninety, certificate Capt. James Rouse.

September 24, 1885, Gen. W. R. Rowley, letter commendatory.

August 22, 1895, Secretary Grant awards.

August 22, 1893, Secretary Grant awards.

1411. Taylor, Henry H., Company C, Forty-fifth Illinois Volunteers.

Case No. 1319 (59431). Antietam, Md., September 17, 1862. Carried off regimental colors, which had fallen within 20 yards of enemy; color guard, nine men killed or wounded, himself three times wounded.

November 9, 1889, this man applies for medal.

Evidence, eyewitnesses to specific act called for.

Extracts Adjutant General's Office record: "Col. Andrews testifies to gallantry of this man. W. P." Seville, adjutant, and W. W. Davis, all of First Delaware, aware of facts stated.

December 6, 1889, Gen. Schofield, in view of additional evidence, recommends, and Secretary Procter awards December 7, 1889.

One medal issued December 13, 1889.

1319. Tanner, Charles B., Company H, First Delaware Volunteers.

Case No. 1410 (467920). Lenoir Station, Tenn., November 16, 1863. Gallantly seized colors, rallied regiment after three color bearers had been shot and regiment demoralized; was in imminent danger of capture.

January 22, 1897, Mr. W. H. Brearley writes for medal for this man through Senator Burroughs, a comrade, of Seventeenth Michigan Infantry.

Statement Irwin Shepherd, June, 1898, describing incident.

Letter 1410 describing his part in engagement.

Mentioned by name in Col. Comstock's report of engagement November 16, 1863.

February 8, 1897, Assistant Secretary Doe awards.

One medal issued February 15, 1897.

1410. Swift, Frederick W., Seventeenth Michigan Infantry.

Case No. 1881 (33200-82). Trevilian Station, Va., June 11, 1864. Remained at his gun, resisting with its implements advancing cavalry, thus secured retreat of detachment.

June 11, 1892, C. A. Woodruff recommends 1881 for medal.

June 30, 1892, Col. A. C. M. Pennington, Fourth Artillery, eyewitness, recommends in two indorsements July, 1892.

August 4, 1892, Gen. Schofield recommends; Assistant Secretary Grant awards August 6, 1892.

One medal issued August 19, 1892.

1881. Kennedy, John, Company M, Second United States Artillery.

Case No. 1888 (465739). North Anna River, Va., May 24, 1864. This officer, commanding regiment, kept it on field exposed to fire of enemy for three hours without being able to fire a shot in return because ammunition exhausted.

In 1897 Surg. John Dwyer, Sixty-ninth Veteran Corps, New York, asks medal for 1888, describing incident.

December 29, 1896, petition to Secretary of War calling attention to this man's patriotic and soldierly record, signed by John Coonan, Sixty-ninth New York; John Mitchell, One hundred and seventieth New York; W. J. Kane, on Corcoran's staff; Thomas Lynch, colonel Seventy-seventh New York.

May 26, 1864. 1888 addresses letter to Assistant Adjutant General Third Brigade, Third Division, Second Army Corps, in reference to flag of truce.

Brig. Gen. John Gibbon forwards this letter, saying explanation makes this officer's ignorance more conspicuous.

Gen. Hancock requests the discharge of this officer from service May 26, 1864.

Discharged by Gen. Meade June 4, 1864, Special Orders, No. 152; copy this order approved June 5, 1864, by Gen. Grant; approved by Secretary of War June 8, 1864; confirmed by Special Orders, No. 201, Adjutant General's Office, June 8, 1864.

January 6, 1897, Secretary Lamont says: "Let medal of honor be issued" for gallantry North Santa Anna.

One medal issued January 15, 1897.

1888. Murphy, Michael C., One hundred and seventieth New York Infantry.

Case No. 1827 (465534). Corbins Bridge, Va., May 8, 1864. While acting aide, seeing regiment break to rear, seized colors, rode to front face enemy, rallied regiment.

December 28, 1896, this man applies for medal; second letter January 11, 1897; evidence requested.

April 5, 1897, indorsement Gen. N. A. Miles recommends award medal.

July 26, 1897, Secretary Alger awards.

One medal issued August 2, 1897.

1827. Robertson, Robert S., Ninety-third New York Volunteers.

Case No. 1285 (481187). Georgia Landing, La., October 27, 1862. Prostrated by cannon shot, refused to give up flag, which he was carrying as color bearer of regiment; continued to carry it at head of regiment throughout engagement.

Senator Gallinger, May 28, 1897, writes for medal for this man.

Letter John C. Linehan, eyewitness, May 20, 1897.

Extract Col. Lull's letter in Weekly Gazette November 16, 1862.

Secretary Alger, July 22, 1897, awards.

One medal issued August 3, 1897.

1285. Nolan, John J., Company K, Eighth New Hampshire Volunteers.

Case No. 1406 (381217). Chickamauga, Tenn., September 19, 1863. Saved the regimental colors by greatest personal devotion and bravery.

Colonel One hundred and first Ohio, January 22, 1894, thinks 1406 entitled to medal.

Letter, January 2, 1894, Sergt. Herndon; January 10, 1894, J. A. Stewart, comrade.

Nothing found in Adjutant General's record bearing upon alleged act bravery.

February 1, 1894, Assistant Secretary Doe requests affidavits of two eyewitnesses in support of this claim.

Additional testimony submitted:

March 2, 1894, Sergt. Herndon submits affidavit; also Amos K. Shade, comrade, private One hundred and first Ohio.

On additional testimony. March 30, 1894, Secretary Doe awards medal for "most conspicuous gallantry at Battle Chickamauga September 19, 1863. This soldier saved regimental colors by greatest personal devotion and bravery."

One medal issued April 9, 1894.

1406. Myers, George S., Company F, One hundred and first Ohio Volunteers.

Case No. 1407 (148994). Gettysburg, Pa., July 3, 1863. Taking up colors where fallen, rushed ahead of regiment close to enemy's guns, engaged in desperate struggle; enemy defeated; severely wounded, held colors until again wounded.

August 15, 1889, this man applies for medal, giving his record.

Adjutant general of Minnesota submits extract copy report Capt. Coates, July 5, 1863.

William Laughlin, First Minnesota, affidavit December 24, 1889.

Affidavit C. B. Jackson, comrade, First Minnesota, in regard to incident.

Schofield recommends medal March 27, 1890; "eminently worthy of medal."

Secretary of War personally reviews case and approved recommendation same date.

One medal issued April 9, 1890.

1407. O'Brien, Henry D., Company E, First Minnesota Infantry.

Case No. 1166 (473354). Vicksburg, Miss., May 22, 1863. Fort De Russey, La., March 14, 1864. Joined color guard in assault on enemy's works when he saw indications of wavering; caused colors of regiment to be planted on parapet. Placed himself in ranks assaulting column (being on staff duty); rode with it into enemy's works; only mounted officer present; twice wounded.

March 15, 1897, Congressman Miers writes for medal for this man, quoting Rebellion Records.

Letter recommendation, August 6, 1864, Maj. Bowyer, Eleventh Missouri Infantry; indorsed by Brig. Gen. Mower and Maj. Gen. A. J. Smith, very commendatory.

Mentioned in report of V. C. Porter, Fifty-fifth Illinois Infantry, showing part taken by storming party at Vicksburg.

Col. Lynch, Fifty-eighth Illinois Infantry, specifically mentions this man in report March 18, 1864.

July 31, 1897, Secretary Alger awards.

One medal issued September 11, 1897.

1166. O'Donnell, Menomen, Eleventh Missouri Infantry.

Case No. 1409 (17754). Fairfield, Pa., July 3, 1863. Seized regimental flag on death of bearer, in hand-to-hand fight; prevented it falling into hands of enemy.

J. J. Lowden, May 7, 1895, requests medal for this man—eyewitness.

Lieut. A. R. Chaffee, Sixth Cavalry, December 3, 1892, states that some one did save the colors of the regiment.

Lieut. Col. L. H. Carpenter, Seventh Cavalry, says it was generally spoken of, but he was not an eyewitness.

Affidavit James McDowell, Company H, Sixth Cavalry.

April 3, 1895, application denied, insufficient evidence; again denied January 5, 1895; returned by Adjutant General to Secretary of War, calling attention to affidavits two eyewitnesses; received back July 12, and Secretary Doe awards.

One medal issued July 12, 1895.

1409. Platt, George O., Company H, Sixth Cavalry.

Case No. 1290 (459394). Antietam, Md., September 17, 1862. Under withering concentrated fire, voluntarily picked up colors of his regiment when bearer and two color guards had been killed; bore them aloft throughout entire battle.

September 22, 1896, wife of 1290 requests medal.

Statement of Col. Sellers, Ninetieth Pennsylvania, September 25, 1896.

Statement Jacob M. Davis, major, Ninetieth Pennsylvania; W. E. Lindsley, Ninetieth Pennsylvania; affidavit Sergt. Hasson and John Shiel, comrades, Ninetieth Pennsylvania, September, 1896.

Resolution Survivors' Association of the Ninetieth Pennsylvania, September, 1896.

Assistant Secretary Doe awards October 26, 1896.

One medal issued November 3, 1896.

1290. Paul, William H., Company E, Ninetieth Pennsylvania Volunteers.

Case No. 1408 (12090-91). Chancellorsville, Va., May 1, 1863. Took up colors from hands color bearer, who had been shot down, and bore them through remainder of battle.

Maj. R. Comba, Ninth Infantry, July 13, 1891, recommends medal for this man; personally cognizant of the facts.

Capt. D. P. Hancock, commanding regiment, makes particular mention of this man in report dated May 7, 1863.

July 27, 1891, approved by major general commanding, and medal awarded by L. A. Grant July 31, 1891.

One medal issued September 28, 1891.

1408. O'Neill, Stephen, Company E, Seventh Infantry.

Case No. 1283 (294001). Corinth, Miss., October 3, 1862. Although wounded three times, carried the colors throughout the conflict.

August 3, 1891, Senator Sawyer forwarded application of this man for medal, stating that he was "a very gallant soldier."

August 12, 1891, adverse actions, case lacking evidence of specific acts to justify award.

Letter January 8, 1892, Maj. John McArthur.

Certificate adjutant general Wisconsin, commissioned.

September, 1891, affidavit Capt. J. G. Lawton, Fourteenth Wisconsin; affidavit Col. John Hancock, Fourteenth Wisconsin.

January 14, 1892, Schofield recommends and Assistant Secretary awards.

One medal issued January 22, 1892.

1283. Murphy, Dennis, J. F., Company F, Fourteenth Wisconsin.

Case No. 1299 (387664). Fair Oaks, Va., May 31, 1862. While carrying regimental colors on retreat, returned to face advancing enemy, flag in hand, and saved the other color, which would have been captured.

April 24, 1894, Col. W. W. H. Davis, One hundred and fourth Pennsylvania, applies for medal for this man.

Gen. Henry M. Naglee in his report of the Battle of Fair Oaks, mentions incident.

May 4, 1894, Doe, Assistant Secretary, awards.

One medal issued May 12, 1894.

1299. Purcell, Hiram W., Company G, One hundred and fourth Pennsylvania Volunteers.

Case No. 1295 (489752). Fredericksburg, Va., December 11, 1862. Seized colors of regiment, color bearer having been shot, bore them to front, where both his arms were carried off by shot.

Senator Wilson, March 12, 1866, applies for medal for this man, forwarding letter of 1295 dated February, 1866.

March 10, 1866, Gen. Hardy's attention called to inclosed letter of Senator.

No mention made in Gen. Ferrero's report.

March 10, 1866, Senator Grasse writes Gen. Hardy asking him to read the inclosed letter (February, 1866).

March 28, 1866, chief clerk directs engraving of medal.

It appears that the Secretary of War directed medal be engraved March 28; date of issue was about March 30, 1866.

One medal issued March 30, 1866.

1295. Plunkett, Thomas, Company E, Twenty-first Massachusetts Volunteers.

Case No. 2502 (7540 WD-71). Distinguished gallantry in many actions and in recognition of long, faithful, and meritorious services, covering a period of 32 years.

October 8, 1871, H. L. Abbott recommends medal for 2502; concurred in by Chief of Engineers, Gen. A. A. Humphreys; commendatory statement, dated January 7, 1854, by G. W. Smith, company commander.

Recommended several times C. of M., first-class private; not private in Engineers.

Secretary of War awards medal November 8, 1871.

One medal issued November 8, 1871.

2502. Gerber, Frederick W., sergeant major, battalion United States Engineers.

Case No. 2111 (409309). Fort Stedman, Va., March 25, 1865. Served an abandoned gun under heavy fire.

March 25, 1865, Capt. Deane, Twenty-ninth Regiment Massachusetts Infantry, mentions 2111 in his report.

Pages 338-339, volume 46, Series I, Part I.

Gen. O. B. Wilcox report, April 2, 1865, pages 322-325, same volume.

Assistant Secretary Doe, March 2, 1895, awards medal without solicitation.

One medal issued March 8, 1895.

2111. Howe, William H., Company K, Twenty-ninth Massachusetts Infantry.

Case No. 1293 (426535). Cache River, Ark., July 7, 1862. While troops falling back before superior numbers this soldier, assisted by one companion, under severe fire, close range, saved a cannon from capture by enemy.

July 19, 1895, Ex-Gov. Fifer asks medal for 1293; statement of 1293.

July, 1862, page 143, volume 13, R. R., report Col. C. E. Hovey, Thirty-third Illinois Infantry.

August 8, 1895, Secretary of War denies.

August 20, 1895, Congressman Warner renews application.

February 8, 1898, statement First Lieut. J. H. Burnham, Thirty-third Illinois, and late Gov. J. W. Fifer, Thirty-third Illinois Volunteers.

March 11, 1899, Assistant Secretary Melklejohn awards.

One medal issued March 29, 1899.

1293. Pike, Edward M., Company A, Thirty-third Illinois Infantry.

Case No. 1413 (S212 (VS)-70). Bristoe Station, Va., October 14, 1863. Gallantry in action while detailed as color bearer; was severely wounded.

February 17, 1870, this man writes to Gen. H. W. Slocum, Member of Congress, for medal; Slocum recommends favorable consideration if case comes within rules of department for such award.

Letter August 5/16, Adjutant General.

May 27, 1870, letter to chief clerk.

Duplicate medal issued July, 1876.

Record meager.

One medal issued June 6, 1870.

1413. Urell, M. Emmet, Eighty-second New York Infantry.

Case 1580 (460203). Cedar Creek, Va., October 19, 1864. With enemy in close proximity, sprang forward and bore off in safety regimental colors, color bearer having fallen on field of battle.

October 12, 1896, A. B. Jones incloses two affidavits—October, 1896, of 1580 and of his comrade, H. C. Hoffman, Ninetieth New York Volunteers.

October 26, 1896, Assistant Secretary Doe awards.

One medal issued November 3, 1896.

1580. Wambsgan, Martin, Company D, Ninetieth New York Volunteers.

Case No. 1412 (515221). Gettysburg, Pa., July 2, 1863. At crisis of engagement this soldier, a color bearer, stood alone in advanced position, regiment having been borne back, and defended his colors with musket and ammunition picked up at his feet.

March 28, 1898, letter Col. J. L. Chamberlain, Twentieth Maine Volunteers, asks for medal for this man.

Assistant Secretary Melklejohn awards August 5, 1898.

One medal issued August 13, 1898.

1412. Tozler, Andrew J., Twentieth Maine Infantry.

Case No. 1897 (412061). St. Mary's Church Va., June 24, 1864. Remained in the fight to the close, although severely wounded.

March 28, 1895, commendatory letter, D. M. M. Gregg requests medal for this man.

Adjutant General's record, April 3, 1895, gives extracts commendatory, July 6, 1864, J. I. Gregg, colonel, commanding brigade.

April 5, 1895, Assistant Secretary Doe awards.

One medal issued April 11, 1895.

1897. Smith, Charles H., First Maine Volunteer Cavalry.

Case No. 2414 (1719-77). Cedar Creek, etc., Mont., October 21, 1876, to January 8, 1877. Gallantry in actions.

February 9, 1877, Gen. Miles recommends for medal.

March 21, 1877, Gen. Terry approves and recommends.

March 27, 1877, Gen. Sheridan; March 31, 1877, Gen. Sherman; both approve for medal.

April 3, 1877, Secretary of War awards medals to list (Group 37).

One medal issued April 27, 1877.

2414. Rooney, Edward, Company D, Fifth United States Infantry.

Case No. 1325 (471224). Fort Donelson, Tenn., February 15, 1862. Took colors after three of color guard had fallen; knocked down by spent ball, arose and bore colors to end of engagement.

January 5, 1897, Congressman Hull asks medal for this man, inclosing true copies contemporaneous reports and letters specifically commendatory.

July 29, 1862, Col. J. Baker, regimental commander Second Iowa; August 29, 1862, Capt. Abe Wilkin, Company F, Second Iowa.

February 18, 1862, Col. J. M. Tuttle specifically mentions for gallantry.

Assistant Secretary Doe awards March 3, 1897.

One medal issued March 12, 1897.

1325. Twombly, Voltaire P., Company F, Second Iowa.

Case No. 1609 (424270). Wilderness, Va., May 6, 1864. Seized colors, led regiment when other regiments had retired, reformed line and held it.

June 7, 1895, Gen. I. S. Catlin applies for medal for 1609, inclosing extract of his address, Oswego, July 4, 1891; extracts of Capt. Edwin Evans, One hundred and ninth New York Volunteers, and Gen. J. Hartranft's report; no specific mention of 1609 except in address.

One medal issued June 21, 1895.

1609. Tracy, Benjamin F., One hundred and ninth New York volunteers.

Case No. 1803 (521656). Drywood, Kans., May 15, 1864. With two companions attacked a greatly superior force of enemy (guerrillas) routed them and rescued several prisoners.

J. B. Pond, January 7, 1898, asks for medal for brother.

Official records, Adjutant General's Office: Col. Charles W. Blair, May 16, 1864, mentions 1893, specifically, pages 936-937, volume 34, Part 1, Rebellion Records.

April 29, 1899, Assistant Secretary Melklejohn awards.

One medal issued May 16, 1899.

1893. Pond, George F., Company C, Third Wisconsin Volunteer Cavalry.

Case No. 1894 (319051). Spottsylvania, Va., May 12, 1864. While voluntarily serving as staff officer, successfully withdrew a regiment across and around exposed position, joined rest of command; severely wounded.

L. A. Grant, February 7, 1892, asks Adjutant General for record of 1894.

Honorably mentioned in report, August 30, 1864, of Brig. Gen. L. A. Grant, commanding.

March 11, 1892, L. A. Grant indorses application most favorably.

March 14, 1892, Schofield cordially concurs in recommendation for medal and Secretary of War, March 16, 1892, awards.

One medal issued March 24, 1892.

1894. Robbins, Augustus J., Company B, Second Vermont Volunteer Infantry.

Case No. 1896 (34023-96). Winchester, Va., September 19, 1864. Went to assistance regimental commander, whose horse had been killed under him in a charge, mounted the officer behind him, under heavy fire from enemy, and returned him to his command.

Col. T. F. Rodenbaugh, March 10, 1896, recommends medal; incloses letters, February, 1896, Col. Harrison, captain Second United States Cavalry, and Maj. R. S. Smith, Second United States Cavalry.

Statement Sergt. Smith, March 9, 1896.

Assistant Secretary Doe awards, March 21, 1896.

One medal issued March 16, 1896.

1896. Schmidt, Conrad, Company K, Second United States Cavalry.

Case No. 1901 (338468). Cedar Creek, Va., October 19, 1864. Distinguished conduct in desperate hand-to-hand encounter, in which advance of enemy was checked.

July 7, 1892, T. S. Peck, adjutant general, Vermont, asks for medal for this man.

October 16, 1885, letter Gen. W. H. Emery.

November 5, 1885, letter Gen. Sheridan.

Gen. McMillan specifically mentions in his report, 1864.

July 15, 1892, Schofield recommends, and Acting Secretary awards, July 18, 1892.

One medal issued July 25, 1892.

1901. Thomas, Stephen, Eighth Vermont Volunteers.

Case No. 1899 (378064). Decatur, Ga., July 22, 1864. With small command defeated overwhelming force enemy and saved trains.

November 29, 1893, Gen. G. M. Dodge in letter to Schofield asks medal for this man.

December 2, 1893, Gen. Schofield knows general facts and states no doubt records will be found.

December 4, 1893, Gen. Stanley submits certificate, amply supported by commendatory extracts of reports, 1864, of Gen. J. W. Sprague, Gen. Stanley, Gen. Sherman.

Gen. Dodge mentions specifically.

December 14, 1893, Grant awards.

One medal issued January 18, 1894.

1899. Sprague, John W., Sixty-third Ohio Volunteers.

Case No. 1898 (310809). Piedmont, Va., June 5, 1864. Left place in rear, took rifle disabled soldier, fought through remainder of action.

Congressman Joy, December 30, 1891, submits application of 1898 for medal. Affidavit of 1898, February 15, 1897.

Statement Col. J. M. Campbell, dated September 2, 1864.

Affidavit October 10, 1891, Horace Rose.

No official mention found in records of the occasion mentioned.

August 9, 1897, Secretary Alger awards.

One medal issued September 11, 1897.

1898. Snedden, James, Fifty-fourth Pennsylvania Volunteer Infantry.

Case No. 2496 (305629). Peach Tree Creek, Ga., July 20, 1864. Led company in countercharge, under galling fire, ahead of men and singly entered enemy's line, capturing and bringing back two commissioned officers, fully armed, besides a gildon of Georgia regiment.

November 6, 1891, Hon. John Coburn asks medal for this man, inclosing 14 letters (October, 1891) of comrade officers and enlisted men of Nineteenth Michigan Volunteers and report, dated October 7, 1863, of 2496 of an engagement.

November 19, 1891, award denied.

November 20, 1891, Hon. Coburn sends additional letters.

October 6, 1863, extract letter from Col. Gilbert, regimental commander.

November 24, 1891, Secretary Alger awards.

One medal issued December 3, 1891.

2496. Baldwin, Frank D., Nineteenth Regiment Michigan Infantry Volunteers.

Case No. 1903 (465491). Masons Hill, Va., March 16, 1864. Surprised and captured by detachment guerrillas, this soldier with other prisoners seized arms of guard, killed two, and enabled all the prisoners to escape.

December 26, 1896, E. C. Snyder, secretary to Senator Thurston, asks for medal for this man.

Letter March 16, 1864, report of Lieut. C. H. Shepard.

March 18, 1864, J. H. Taylor, Acting Adjutant General, letter of major general, Twenty-second Army Corps, thanks to 1903.

Original papers destroyed by fire in Gen. Augur's headquarters, Lafayette Place; most of department records destroyed shortly after war in this fire.

February 9, 1897, Assistant Secretary Doe denies award.

July 24, 1897, Secretary Alger considers adversely.

Senator Thurston asks for reconsideration; September 20, 1897, Secretary Alger awards.

One medal issued September 28, 1897.

1903. Traynor, Andrew, Company D, First Michigan Volunteer Cavalry.

Case No. 1900 (445096). Spring Hill, Tenn., November 29, 1864. During night attack enemy upon wagon train, gathered force stragglers and others, assumed command, though a staff officer, attacked and dispersed enemy.

March 19, 1896, Gen. D. Stanley asks medal for 1900; accompanied by his certificate same date.

April 18, 1896, further evidence as to duties of 1900 asked for.

Pages 114 and 115, Series I, volume 45, Part I, Gen. Stanley's report 1864, specifically mentions 1900 for gallantry, etc.

September 20, 1897, Secretary Alger awards.

One medal issued September 28, 1897.

1900. Steele, John W., major and aid-de-camp, United States Volunteers.

Case No. 1922 (464001). Hatchers Run and Dabneys Mills, Va. February 6, 1865. Gallantly planted colors on enemy's works in advance of arrival of regiment.

December 1, 1896, applies for medal; joint affidavit of himself, Adj. F. M. Smith, and Lieut. J. E. Walker, all of First Maryland Volunteers.

Mentioned specifically in brigade commander's report, February 12, 1865, as specially distinguished.

December 24, 1896, Assistant Secretary Doe awards.

One medal issued January 5, 1897.

1922. Cadwallader, Abel G., Company H, First Regiment Maryland Infantry.

Case No. 1921 (518294). Dinwiddle Courthouse, Va., March 31, 1865. While acting as aide to Gen. Custer, took flag from color bearer, rode in front line being driven back under heavy fire, rallied men, re-formed line, repulsed charge.

April 28, 1898, Maj. M. D. Birge, Sixth Michigan Cavalry, asks medal for this man, inclosing statement Gen. E. W. Whittaker, August 7, 1897, and affidavit, April 22, 1898, of Cmsey. Earle.

April 11, 1866, Gen. G. A. Custer's letter indorsed favorably by Gen. Pleasanton.

December 12, 1898, Assistant Secretary Melklejohn awards.

One medal issued December 15, 1898.

1921. Boehm, Peter M., Company K, Fifteenth New York Cavalry.

Case No. 2389 (19768-93). Upper Washita, Tex., September 9-11, 1874. Gallantry in action.

March 21, 1875, Gen. Miles recommends; approved by Gen. Pope March 25, 1875, and Sheridan March 29; forwarded by Sherman.

Secretary of War awards April 23, 1875.

January 6, 1894, this man returned medal for issue under true name, Frederick S. Nelson; January 30, 1894, same issued and record made.

One medal issued April 23, 1875, and January 30, 1894 (correction).

2389. Nelson, Frederick S., Company A, Sixth United States Cavalry.

Case No. 2479 (5828 B-80). Milk Creek, Colo., September 9, 1879. Volunteered to accompany small detachment on very dangerous mission.

March 2, 1880, Second Lieut. J. V. S. Paddock, Fifth Cavalry, recommends this man for medal; approved by Gen. Merritt March 18, 1880, who states, "undoubtedly deserves recognition recommended; an excellent soldier."

March 27, 1880, Gen. Crook recommends; also adjutant general in absence lieutenant general commanding.

One medal issued May 4, 1880.

2479. Widmer, Jacob, Company D, Fifth Cavalry.

Case No. 1938 (439125). Bentonville, N. C., March 19, 1865. Rushed into midst enemy, rescued colors, color bearer having fallen mortally wounded.

April 4, 1896, Congressman William A. Smith applies for medal for this man, inclosing statement, January 10, 1896, of Lieut. N. Walsh and set of resolutions, January, 1896.

Secretary of War, January 25, 1896, considers evidence insufficient.

Two affidavits furnished—April 4, 1896, Isaac Burbank; March 23, 1896, J. Spolder, both Fourteenth Michigan.

April 18, 1896, Assistant Secretary Doe awards.

One medal issued April 27, 1896.

1938. Plant, Henry E.

Case No. 1939 (478990). Hatchers Run, Va., February 6, 1865. As color bearer with conspicuous gallantry preceded regiment in assault and planted colors on enemy's works.

May, 1897, applies for medal, inclosing two affidavits.

April 19, 1897, F. M. Smith, adjutant First Maryland Infantry, sworn to by J. E. Walker, first lieutenant First Maryland.

Specifically mentioned in General Order 11, Army of the Potomac, March 8, 1865.

Secretary of War Alger awards August 3, 1897.

One medal issued September 10, 1897.

1939. Thompson, John.

Case No. 1923 (327084). Hatchers Run, Va., February 6, 1865. Seized regimental colors at critical moment and by prompt advance upon enemy caused whole brigade to follow; after being severely wounded, lifted into saddle and second time rallied line in attempt to check enemy.

April 20, 1892, J. M. McGreer, a friend, asks for medal, inclosing letter, July 3, 1891, from Adj. H. H. Lyman, One hundred and forty-seventh New York. Indorsed by Maj. Crawford favorably.

April 28, 1865, extract report Gen. S. W. Crawford.

Two letters February, 1865, headquarters brigade, Third Division, Fifth Artillery Corps, very commendatory.

Letter H. A. Morrow, dated July 27, 1865.

March 2, 1892, on Schofield's recommendation, Assistant Secretary awards.

One medal issued May 12, 1892.

1923. Coey, James.

Case No. 1932 (414029). Fort Fisher, Va., March 25, 1865. Color sergeant having been wounded, this soldier picked up flag and bore it to front, to the great encouragement of charging column.

April 3, 1895, Gen. Thomas W. Hyde recommends medal; approved by Gen. George W. Getty and Gen. H. G. Wright.

Specifically mentioned for gallantry April 15, 1865, by Hyde and April 20, 1865, by Getty in reports.

June 3, 1895, Assistant Secretary Doe awards.

One medal issued June 22, 1895.

Littlefield, George H.

Case No. 1942 (403700). South Side Railroad, Va., April 2, 1865. Raised fallen colors, rushing forward in advance of troops, placed them on enemy's works.

December 21, 1894, Gen. N. A. Miles recommends this man, describing specific act.

January 11, 1895, Assistant Secretary Doe awards.

One medal issued January 17, 1895.

1942. Corliss, Stephen P.

Case No. 1927 (465353). Bentonville, N. C., March 19, 1865. Face galling fire, voluntarily returned where color bearer had fallen, saved flag of regiment from capture.

December 25, 1896 requests consideration for medal.

Further evidence called for.

January 18, 1897, submits own affidavit.

January 15, 1897, letter of Col. C. E. Briant, Eighty-eighth Indiana.

January 1, 1897, affidavit Corpl. T. Tomlinson, Eighty-eighth Indiana.

February 9, 1897, Assistant Secretary Doe awards.

One medal issued February 16, 1897.

1927. Dougall, Allan H.

Case No. 1937 (490749). Lewis's Farm, Va., March 29, 1865. Seized regimental colors, called on men to follow, advanced under heavy fire; line took on advance; lost ground gained; enemy repulsed.

August 14, 1897, Gen. W. W. Averill requests medal for 1937.

Commendatory extracts contemporaneous reports; indorsement on paper of February 22, 1866, Gens. Charles Griffin, Ayers, and Chamberlain; Bartlett, November 19, 1864, Chamberlain, April 24, 1865, highly commend in reports.

August 30, 1897, Secretary Alger awards.

One medal issued September 17, 1897.

1937. Pearson, Alfred L.

Case No. 2100 (1343698). Petersburg, Va., April 2, 1865. Was first enlisted man, third division, to mount parapet of enemy's lines.

February 18, 1908, P. B. Engler writes Congressman J. A. Goulden for his interest in behalf of award of medal to 2100.

Mentioned specifically for conspicuous bravery, gallantry, etc., in contemporaneous official reports Gen. Kieffer and Col. J. C. Hill.

Mentioned by Gen. H. G. Wright as one of the three men to share \$460 fund, but a sergeant was selected by lot.

March 4, 1908, Acting Secretary Oliver awards.

One medal issued March 17, 1908.

2100. Buffington, John E.

Case No. 2099 (384099). Rowanty Creek, Va., February 5, 1865. Swam partly frozen creek, under fire, in attempt to capture crossing.

January, 1894, Lieut. Col. B. H. Kent, regiment commander, recommends medal for this man.

March 6, 1894, denied; testimony eyewitness required.

January 5, 1895, 2099 submits three affidavits, November and December, 1894, of Comrades J. C. Dutton, R. J. Buckingham, sergeant major, and J. H. Durnell, all of Fourth Delaware, and joint affidavit of Sergt. Samuel Lewis and Sergt. Sylvester Solomon, also of Fourth Delaware.

February 7, 1895, Assistant Secretary Doe awards.

March 1, 1895, protest against award by three—surgeon, first lieutenant, and a captain, Fourth Delaware.

One medal issued February 13, 1895.

2009. Buckingham, David E.

Case No. 2134 (401673). Sailors Creek, Va., April 6, 1865. Captured the Confederate Gen. G. W. Custis Lee.

November 26, 1894, Congressman C. D. Haines requests medal for 2134.

September 9, 1894, letter of Capt. T. J. Hassett, Company K. One hundred and twenty-first New York Volunteers.

Specifically mentioned April 18, 1865, by E. Wheaton, major general Volunteers, and April 15, 1865, Gen. Hanblin, brigade commander.

April 14, 1865, affidavit by 2134.

April 29, 1865, Gen. H. G. Wright reports surrender to Sixth Corps of Gen. Custis Lee.

December 12, 1894, Assistant Secretary Doe awards.

April 15, 1897, Historian Bowen. Thirty-seventh Massachusetts, protests award, and September 20, 1897, Secretary Alger, after considering evidence filed in case and counterclaim of David White, decides there was no display of action by either entitling to medal under law and regulations.

One medal issued December 29, 1894.

2134. Hawthorne, Harris S.

Case No. 2109 (417495). Petersburg, Va., April 2, 1865. Prevented retreat of regiment during battle.

May 9, 1895, applies for medal.

Evidence eyewitnesses called for, and on June 10, 1895, soldier makes statement which is subscribed to by seven comrades of Two hundred and eighth Pennsylvania Volunteer Infantry.

Gen. J. F. Hartranft mentioned 2109 in two reports made in 1865.

July 9, 1895 Assistant Secretary Doe awards.

One medal issued July 19, 1895.

2109. Hoffman, Thomas W.

Case No. 2103 (493029). Berryville, Va., April 1, 1865. Accompanied by an orderly only, gallantly resisted attack of five of Mosby's cavalry; mortally wounded leader, seized his horse and pistols, wounded three more, and though wounded himself, escaped.

August 7, 1897, 2103 in affidavit applies for medal.

April 8, 1897, Col. N. A. M. Dudley, Thirtieth Massachusetts Infantry, letter, also five others.

August 13, 1897, daughter Col. D. S. Bonham submits affidavit.

March 28, 1865, Lieut. Col. F. H. Whittier, Thirtieth Massachusetts, mentions in report.

October 4, 1897, Secretary Alger awards.

One medal issued October 16, 1897.

2103. Ferris, Eugene W.

Case No. 1926 (302715). Hatchers Run, Va., February 6, 1865. Seized colors another regiment brigade color bearer killed, bore said colors throughout remainder of engagement.

October 20, 1891, C. H. Freeman states 1926 was mentioned in General Order 11. March 8, 1865, by Gen. Meade.

October 27, 1891, not regarded as sufficient evidence.

Petition signed by several comrades Two hundred and tenth Pennsylvania Volunteers, Company K, submitted by Congressman H. B. Packer.

Extracts 1865, regimental letter book, Two hundred and tenth Pennsylvania.

July 13, 1897, Secretary Alger awards.

One medal issued July 30, 1897.

1926. Day, Charles.

Case No. 2138 (382354). Red Hill, Ala., January 14, 1865. With less than 200 men attacked and defeated superior force enemy, captured field piece and about 100 prisoners without loss of one man.

January 21, 1893, six fellow soldiers ask medal for 2138; August 12, 1893, returned by Secretary Grant, not favorably considered as constituting conspicuous gallantry, etc.

August 15, 1893, Col. A. M. McClure Assistant Adjutant General, to Gen. Carter writes for medal, inclosing letter Lieut. Col. C. U. Betts, also extract Gen. Thomas's report January 20, 1865, and report of 2138, January 17, 1865.

February 17, 1894, assistant Secretary Doe awards.

One medal issued February 24, 1894.

2138. Palmer, William J.

Case No. 2106 (2641). Shenandoah Valley, Va., 1864-65 Gallant conduct and services as scout in connection with capture of guerrilla Harry Gilmore and other daring acts.

June 25, 1872, Gen. Sheridan asks for medal for 2106.

Indorsement: Medal sent to Gen. Sheridan July 3, 1872.

One medal issued July 3, 1872.

2106. Hart, William E.

Case No. 2118 (411640). Rowanty Creek, Va., February 5, 1865. Swamp partly frozen creek under fire in attempt to establish a crossing.

March 25, 1895, Lieut. Col. H. Ganse, Fourth Delaware Infantry, incloses four affidavits and two certificates, all from members Fourth Delaware Infantry, requesting medal for 2118.

Resolutions passed by survivors Fourth Delaware Infantry at meeting March 23, 1895.

Controversy; issues medal February 13, 1895, to Buckingham.

April 2, 1895, Assistant Secretary Doe awards.

One medal issued April 8, 1895.

2118. Smith, S. Rodmond.

Case No. 2104 (501443). Dingles Mill, S. C., April 9, 1865. While on advance skirmish line, close fire enemy's artillery, crossed mill race on burning bridge and ascertained enemy's position.

December 10, 1897, Congressman G. W. Steele applies for medal.

Extract orders April 12, 1865, Col. P. P. Brown, jr.

April 26, 1865, Lieut. Col. Cooper also commends in report.

First order verified, but second not on file.

March 22, 1898, Secretary Alger awards.

One medal issued March 30, 1898.

2104. Finkenbinder, Henry S.

Case No. 2119 (471525). Hatcher's Run, Va., February 5-7, 1865. Gallantry and good conduct in action; bravery in charge; reluctance to leave field after twice wounded.

August 10, 1880, this man requests medal.

Mentioned in General Orders 11, Headquarters Army of the Potomac for gallantry and good conduct in action February 5-7, 1865, and granted 25 days' furlough.

Gen. Sherman: "I do not think medals go back to Civil War."

Commanding officer mentions; full recognition.

September 10, 1880, medal awarded by the general of the Army.

One medal issued September 16, 1880.

2119. Spillane, Timothy.

Case No. 2153 (394848). Fort Stedman, Va., March 25, 1865. This man, observing abandoned gun within Fort Haskell, called for volunteers and under heavy fire worked gun until enemy's line routed.

August 4, 1894, Congressman Randall submits letter of 2153 for consideration for medal.

August 13, 1894, Secretary Doe advises him that medals are not issued on personal application or unsupported statements; testimony two eyewitnesses required.

February 23, 1895, resubmitted with letter of 2153.

2153 mentioned in extract Col. G. P. Robinson's report of March 28, 1865, and May 3, 1865, and Gen. O. B. Wilcox's report.

January 23, 1895, three affidavits: Gaylord, Howe, and Eldridge, all of Twenty-ninth Massachusetts.

Extract report adjutant general Massachusetts 1865.

Assistant Secretary Doe awards March 2, 1895.

One medal issued March 8, 1895.

2153. Deane, John M.

Case No. 2139 (484147). Evergreen, Ala., March 23, 1865. Advanced alone beyond picket line and captured three of enemy.

June 1, 1897, E. E. Dudley applies for medal for 2139, supported by indorsements: G. H. Patrick, adjutant Eighty-second United States Colored Troops, and G. H. Smith, brevet major general.

June 15, 1897, certificate First Lieut. A. J. Woodman, aid-de-camp; also certificate, June 17, 1897, B. A. Beals, orderly for 2139.

Report by 2139, March 19-26, 1865, operations Second Missouri Cavalry.

Secretary Alger awards July 29, 1897.

One medal issued September 10, 1897.

2139. Sparling, Andrew B.

Case No. 2126 (356341). Hatchers Run, Va., February 6, 1865. First man to reach enemy's rifle pits, which were taken in charge.

January 23, 1893, Andrew Lee, D Company, Eighth Pennsylvania Cavalry. Commander recommends 2126 for medal.

April 14, 1865, Col. S. B. M. Young commanding brigade mentions 2126 as having preeminently distinguished himself.

August 22, 1893, Assistant Secretary Grant awards medal.

One medal issued September 1, 1893.

2126. Vanderslice, John M.

Case No. 2124 (504890). Appomattox campaign, Va., March 29, to April 9, 1865. Severely wounded Sailors Creek April 6 and at Farmville April 7; refused hospital, remained with regiment; performed full duties adjutant upon wounding of that officer, and was present for duty at Appomattox.

January 7, 1898, Lieut. Col. Cilley applies for medal for 2124 by affidavit to President McKinley.

April 14, 1865, headquarters Third Brigade Second Division Cavalry Corps specifically mentions 2124 for marked gallantry.

March 22, 1898, Secretary Alger awards.

One medal issued April 1, 1898.

2124. Toble, Edward P.

Case No. 2120, 2122 (445911). White Oak Road, Va., April 1, 1865.

Made hazardous reconnoissance through timber, preceding Union line of battle, signaling troops, and leading them through obstructions.

April 24, 1893, joint affidavit of these two men.

August 21, 1893, Maj. S. P. Gould, Fourth New York Heavy Artillery; statements September 18, 1893, Private H. B. Husband, Fourth New York Heavy Artillery, and October 30, 1893, Capt. A. J. Smith, Fourth New York Heavy Artillery.

January 29, 1894, letter Gen. Miles.

Application denied 1894.

March 31, 1896, Congressman Mondell requests reconsideration.

April 3, 1896, indorsement Gen. Miles.

Two medals issued April 22, 1896.

2120. Thompson, Allen.

2122. Thompson, James.

Case No. 2151 (60299). Five Forks, Va., April 1, 1865. With one companion voluntarily advanced in reconnoissance beyond skirmishers; also same battle rode to front with commanding general to encourage wavering troops to resume advance, which they did successfully.

July 28, 1897, forwards sworn statement for consideration for medal, based on extract contemporaneous reports of Gen. Warren, 1865-1866.

Report Capt. C. L. Davis, chief signal officer Army of the Potomac, April 20, 1865; ample support.

Secretary Alger awards August 13, 1897.

One medal issued September 7, 1897.

2151. Benyard, William H. H.

Case No. 2129 (513786). Near Wetumpka, Ala., April 13, 1865. With small detachment to destroy steamboats with supplies for enemy swam river under great difficulties, procured boats, ferried men across, obtained possession of steamboats, etc.

July 26, 1897, Brig. Gen. G. B. Raum recommends; proof considered deficient.

March 17, 1898, Maj. Gen. J. H. Wilson recommends medal.

Ample extracts commendatory—contemporaneous reports.

Secretary Alger awards March 29, 1898.

One medal issued April 9, 1898.

2129. Weston, John F.

Case No. 2131 (341655). Greensboro, N. C., April, 1865. With force 75 men, scouting expedition, by judicious disposition of men surprised and captured entire battalion enemy Cavalry.

August 9, 1892, letters Capt. A. Taylor, Fifteenth Pennsylvania Cavalry, and First Lieut. Charles H. Kirk, Fifteenth Pennsylvania.

May 12, 1865, and May 24, 1865, Gen. E. J. Palmer, brigade commander, mentions 2131 in reports of capture Third South Carolina Cavalry at Greensboro and wagon train (\$18,000) at Macon.

September 28, 1892, Schofield recommends and Assistant Secretary awards medal.

One medal issued October 10, 1892.

2161. Betts, Charles M.

Case No. 2168 (452856). Aiken, S. C., February 11, 1865. Voluntarily and at great personal risk rescued from death or capture Maj. W. C. Stevens, Ninth Michigan Cavalry, who had been thrown from his horse.

June 15, 1896, Congressman Milnes applies for medal for this man, supported by affidavits; Second Lieut. J. W. Toban, June 6, 1896; Maj. J. G. McBride, May 20, 1896; Maj. W. C. Stevens, June 3, 1896; First Lieut. A. B. Darrah, April 27, 1896; all of Ninth Michigan Cavalry.

Extract commendatory, report Col. G. S. Acker, Ninth Michigan, pages 884-886, volume 42, Rebellion Records.

Assistant Secretary awards July 2, 1896.

One medal issued July 9, 1896.

2168. Toban, James W.

Case No. 2169 (498436). Five Forks, Va., April 1, 1865. At critical stage of battle, without orders, led successful advance upon enemy.

July 5, 1897, 2169 applies for medal.

Same date writes Secretary of the Navy J. D. Long; October 7, 1897, Tweedale, chief clerk to Secretary of War.

Adjutant General's office record shows no mention distinguished service referred to.

Letter to Secretary of the Navy indorsed October 13, 1897, by Secretary Alger awarding.

One medal issued October 23, 1897.

2169. Blackmar, Wilmon W.

Case No. 2154 (391014). Sailors Creek, Va., April 6, 1865. Saved life of adjutant by voluntarily going beyond line and killing enemy; assailed by several enemies; run through body by bayonet and pinned to ground; shot and killed assailant.

June 9, 1894, J. L. Bowen, historian Thirty-seventh Massachusetts, requests medal for 2154; incloses extract of the history mentioning this man.

August, 1894, affidavits of Maj. A. Hopkins and Adj. J. S. Bradley, both Thirty-seventh Massachusetts.

August 16, 1894, application denied by Secretary Lamont.

August 24, 1894, reconsideration requested and supplementary analytical report submitted.

Secretary Alger awards August 4, 1897.

One medal issued September 10, 1897.

2154. Eddy, Samuel E.

Case No. 2165 (465689). Fort Blakely, Ala., April 9, 1865. Voluntarily and alone, under heavy fire, obtained valuable information which led to assault; captured 300 enemy who would otherwise have escaped.

December 23, 1896, Lieut. Col. John B. Gandolpho, One hundred and seventy-Eighth New York, applies for medal for this man; recommendation indorsed by Col. A. J. Smith (major general, 16th Army Corps, commander).

January 16, 1897, Secretary of War does not deem evidence sufficient for medal.

February 20, 1897, Col. Gandolpho submits second application; denied; no new facts elicited.

Adjutant General's Office military record, July 3, 1897.

Affidavit, July 22, 1897, of Col. J. B. Gandolpho; Gen. Smith dead and no others available.

Secretary Alger awards July 13, 1897.

One medal issued August 2, 1897.

2165. Rockefeller, Charles M.

Case No. 2166 (420028). Dabneys Mill, Va., February 6, 1865. Voluntarily remained with body regimental commander under heavy fire after brigade had retired and brought body off field.

May 23, 1895. Col. D. L. Stanton, First Maryland Infantry, recommends; denied June 6, 1895, and again July 9, 1895.

July 23, 1895, affidavits of Col. Stanton, Lieut. Col. R. N. Bowerman, Lieut. J. W. Lewis, and Lieut. J. E. Walker, all of First Maryland Veteran Infantry.

Acting Secretary Doe awards August 9, 1895.

August 17, 1896, G. W. Jones protested award by affidavit and Col. Stanton brands same as falsehoods; gives statement of losses, which records verify.

One medal issued August 13, 1895.

2166. Smith, Francis M.

Case No. 2167 (394722). Black River, N. C., March 15, 1865. Voluntarily and under fire rescued comrade from death by drowning.

August 13, 1894, Col. J. C. Parrot, Seventh Iowa, requests medal for this man, which is heartily indorsed by Gen. G. M. Dodge.

Lieut. Col. J. Rule, letter August 10, 1894.

Extract report Brig. Gen. E. S. Rice, March 30, 1865, commendatory.

Acting Secretary Doe awards August 29, 1894.

One medal issued September 7, 1894.

2167. Smith, Henry I.

Case No. 2156 (933963). Fort Fisher, N. C., January 15, 1865. Volunteered to carry brigade flag after bearer was wounded.

October 13, 1904, 2156 writes to Adjutant General's Office.

December 13, 1904, Congressman Draper applies for medal for this man.

January 17, 1865, in report of Lieut. Col. J. A. Calvin, One hundred and sixty-ninth New York Volunteers, 2156 specifically mentioned for gallantry;

Adjutant General's Office military record, July 3, 1897.

also mentioned by brigade commander, 3B2D24AC.

January 4, 1905, Assistant Secretary Oliver dissents from adverse recommendation of General Staff and awards.

One medal issued May 27, 1905.

2156. Freeman, William H.

Case No. 2158 (382584). Fort Blakely, Ala., April 9, 1865. Volunteered to attack enemy's works in advance of orders; made most gallant assault.

February 7, 1894. 2158 writes to Adjutant General for medal if recognition of services is merited.

April 13, 1865, Gen. W. A. Pile specifically mentions 2158 in his report.

April 19, 1866, Maj. Gen. P. H. Hawkins.

September 3, 1890, F. M. Cockrell, division commander in 1865.

June 26, 1894, Assistant Secretary Doe awards medal.

One medal issued June 28, 1894.

2158. Merriam, Henry C.

Case No. 2160 (6278 C-86). Petersburg, Va., March 25, 1865. Piece artillery silenced by enemy; voluntarily assisted in working piece; conducted himself throughout engagement in gallant and fearless way.

May 25, 1896, 2160 writes Gen. Abbot about a medal he was recommended for March 25, 1865.

Claim amply supported by true copies report March 25, 1865, First Lieut. R. Lewis, First Connecticut Artillery.

March 28, 1865, report Capt. J. M. Deane, Twenty-ninth Massachusetts Volunteers.

Extract from H. L. Abbott's report, colonel First Connecticut Artillery, period ended March 31, 1866, specifically mentioned in all these reports.

Acting Secretary awards September 25, 1896.

One medal issued October 29, 1896.

2160. Murphy, James T.

Case No. 2162 (436063). Fort Blakely, Ala., April 9, 1865. Voluntarily made reconnaissance in advance of line held by his regiment, and under heavy fire obtained valuable information.

April 16, 1897. Col. H. C. Merriam, Seventh Infantry, applies for medal for this man.

Additional evidence of eyewitnesses called for.

Statement of himself and Sergt. H. Harris, Seventy-third United States Colored Troops, submitted April 17, 1897.

Secretary Alger awards July 22, 1897.

One medal issued August 3, 1897.

2162. Nichols, Henry C.

Case No. 2163 (501594). Hatchers Run, Va., April 2, 1865. While acting as aid voluntarily accompanied regiment in assault on enemy's works; acted as leader of movement which resulted in rout of enemy and capture of large number of prisoners.

December 11, 1897, Willson Vance applies for medal for this man, inclosing affidavit of J. L. Parker, first lieutenant, Eleventh Regiment Massachusetts Infantry, eyewitness.

April 15, 1865, extract report Brig. Gen. Robert McAllister, Third Brigade, Third Division, Second Army Corps, commendatory mention of 2163.

Secretary of War Alger awards medal March 22, 1898.

One medal issued April 4, 1898.

2163. Plimley, William.

Case No. 2164 (405113). Oostanaula, Ga., April 3, 1865. Voluntarily swam river under heavy fire, secured ferryboat, by means of which command crossed.

September 16, 1895, Attorney T. E. Ryan applies for medal for 2164, supported by three affidavits: W. A. Gaunt, September 16, 1895; W. H. McNair, same date; all of One hundred and forty-seventh Illinois Infantry.

Regimental commander compliments, April 4, 1865, for bravery, etc.

Assistant Secretary Doe awards October 18, 1895.

One medal issued October 24, 1895.

2164. Powers, Wesley J.

Case No. 2183 (618563). Fort Blakely, Ala., April 9, 1865. At risk of his life, saved life of officer who had been shot down and overpowered by superior numbers.

Senator Mason, June 25, 1900, requests medal for this man.

Affidavit June 8, 1900, of 2183.

Report of Maj. J. S. Miller, December 30, 1865, specifically mentions 2183.

Certificate of assistant adjutant general of State of Wisconsin showing 2183 was commissioned February 26, 1867, rank April 9, 1865.

Assistant Secretary Meiklejohn awards medal.

One medal issued August 8, 1900.

2183. Moore, Daniel B.

Case No. 2157 (473307). Near Dinwiddie Courthouse, Va., March 31, 1865. While serving as a volunteer aid, carried orders to reserve brigade and participated in charge which repulsed enemy.

March 16, 1879, applied for consideration for medal.

Gen. Dennis's commendatory order of June 26, 1865; Dennis's letter November 1, 1865, concurred in by Gen. Meigs.

September 10, 1897, affidavit of 2157.

September 17, 1897, Secretary Alger awards.

One medal issued September 23, 1897.

2157. King, Horatio C.

Case No. 2155 (310358). Hatchers Run, Va., April 2, 1865. Voluntarily passed out between lines under heavy fire and obtained important information.

December 26, 1891, T. S. Peck, adjutant general of Vermont, requests medal for this man; supported by certificate October 16, 1891, of Maj. W. Lyman, Tenth Vermont.

Letter October 1, 1891, Maj. Gen. Birney.

May 14, 1865, this man was recommended by Gen. R. H. Jackson for major brevet for gallantry, etc.

March 14, 1892, Schotfield recommends and the Secretary of War awards.

One medal issued March 24, 1892.

2155. Evans, Ira H.

Case No. 2178 (475400). Petersburg, Va., April 2, 1865. Removed severely wounded officers and soldiers from field under heavy fire, exposing himself beyond the call of duty; example of most distinguished gallantry.

April 5, 1897, applies for medal, inclosing indorsements of Gen. Curtin, March 30, 1897; Capt. Cheesman, April 2, 1897; Pvt. Joseph Taylor, Capt. Hoskins, Capt. Ogden, Capt. Bohannon.

Record Adjutant General's Office.

July 16, 1897, Secretary of War Alger awards.

One medal issued July 21, 1897.

2178. Blackwood, William R. D.

Case No. 2176 (377466). Fort Blakely Ala., April 9, 1865. First to enter enemy's works through embrasure against strong fire of artillery and infantry.

June 17, 1892, letter requesting consideration for medal.

November 15, 1893, again applies for medal, supported by seven certificates.

Ex-Gov. Oglesby, August 25, 1892, submits commendatory report.

Statement of Gen. J. C. Veach November 15, 1893.

Extract from report of Gen. E. S. Dennis, April, 1865, and Col. Joseph W. Sheetz, commends in his report, April, 1865.

Schofield recommends award December 9, 1893, on which the Secretary of War awards.

One medal issued January 15, 1894.

2176. Wheaton, Lloyd.

Case No. 2174 (475215). Fort Blakely, Ala., April 9, 1865. While acting regimental quartermaster requested assignment to company; was assigned, and was one of first to lead his men into enemy's works.

Report of The Adjutant General April 9, 1897, and supplemental report February 12, 1898.

Applies for medal April, 1897.

Statement Silas Morey, Thirty-seventh Illinois Infantry.

Affidavit of 2174; also letter February 9, 1898.

Nothing in Adjutant General's records showing distinguished service mentioned.

March 22, 1898, Secretary Alger awards.

One medal issued April 1, 1898.

2174. Payne, Thomas L.

Case No. 1913 (488835). Fort Harrison, Va., September 29, 1864. While acting as aide, carrying important message, severely wounded and horse killed, but delivered order and rejoined his general.

July 28, 1897, 1913 requests medal; sworn to November 3, 1897.

Wounded at Chapin's farm, Virginia, September 29, 1864.

November 4, 1897, Secretary Alger awards.

One medal issued November 19, 1897.

1913. Horne, Samuel B., Company F, Eleventh Regiment Connecticut Volunteers.

Case No. 1907 (20120). Trevillian Station, Va., June 22, 1864. Distinguished gallantry.

November 19, 1891, Gen. W. Merritt asks for medal for 1907.

Commendatory mention of this man in extract reports of Gen. Torbert, July 4, 1864, and Gen. Merritt, June 26, 1864, support award.

December 3, 1891, Acting Secretary Grant awards.

One medal issued April 6, 1892.

1907. Williston, Edward B., Third Regiment United States Artillery.

Case No. 1909 (468689). Buzzards Roost, Ga., May 11, 1864. Seized shell with fuse burning that had fallen in the ranks of his company; threw it into stream, thereby probably saving the lives of his comrades.

January 28, 1897, letter of Col. J. M. Kirby, requesting medal for this man.

Returned for additional evidence.

July, 1897, affidavit of Corpl. Yeager, Sergt. Huber, and Corpl. Van Nest, all of the One hundred and first Ohio Volunteer Infantry.

July 26, 1897, Secretary Alger awards.

One medal issued August 3, 1897.

1909. Yeager, Jacob F., Company H, One hundred and first Ohio Volunteer Infantry.

Case No. 1904 (527950). Near Atlanta, Ga., July 21, 1864. Severely wounded in charge; remained with regiment until again wounded, losing leg.

March 4, 1870, writes to Congressman Washburn in regard to medal.

Letter of November 15, 1866, asking for brevet commission by Col. Proudft for this man.

March 5, 1870, Secretary of War awards medal.

One medal issued March 11, 1870.

1904. Truell, Edwin M., Company E, Twelfth Wisconsin Infantry.

Case No. 1919 (405206). Petersburg, Va., April 2, 1865. Planted flag upon parapet while enemy still occupied line; first regiment to enter works.

January 16, 1895, Congressman C. H. Page's letter for medal for this man; also letter of No. 1919 dated February 12, 1895.

This man was on list specifically recommended for medal April 18, 1865; approved by commanding general and adjutant general.

Col. E. H. Rhodes, regimental commander, states he recommended No. 1919 for medal.

Specifically mentioned by Col. Edwards, volume 46, Series I, Part I, page 944, and by Col. Rhodes, volume 43, Series I, part I, page 190.

February 26, 1895, Assistant Secretary Doe awards.

One medal issued March 2, 1895.

1919. Babcock, William J., Company E, Second Regiment Rhode Island Volunteers.

Case No. 1910 (506547). Trevillian Station, Va., June 11, 1864. Voluntarily carried message which stopped firing of Union battery into his regiment; crossed ridge in plain view and swept by fire both armies.

January 17, 1898, requests medal, accompanied by letters, as follows: January 10, 1898, Gen. Gregg; December 17, 1897, Maj. Weed; and December 4, 1897, Sergt. Maj. D. P. Norton.

March 22, 1898, Secretary Alger awards.

One medal issued April 1, 1898.

1910. Farnsworth, Herbert E., Tenth New York Volunteer Cavalry.

Case No. 1916 (410617). Reams Station, Va., June 29, 1864. While acting as aid voluntarily carried dispatches from commanding general to Gen. Meade, forcing way with single troop cavalry through infantry division of enemy in most distinguished manner, though he lost half his escort.

February 27, 1895, letter Gen. J. W. Wilson recommends medal for this man. Special Order 135, September 15, 1864, specifically mentions.

Official report June, 1864, Gen. Wilson, pages 623, 628, Series I, volume 40, Part I.

Gen. Humphrey's report, page 495, Series I, volume 40, Part.

(?)

March 22, 1890, Secretary Alger awards.

One medal issued April 2, 1898.

1916. ———, ———, First Connecticut Volunteer Cavalry.

Case No. 2495 (401425). Camden, N. C., April 19, 1862. Drummer boy, 15 years of age, voluntarily and under heavy fire, went to aid of wounded officer, procured medical assistance, and aided in carrying him to place safety.

November 24, 1894, applies for medal; advised to furnish evidence.

December 20, 1894, second letter incloses Lieut. T. L. Bartholomew's, adjutant, Ninth New York, recommendation, dated December 4, 1894.

December 19, 1894, affidavit J. T. Miller, sergeant, Ninth New York, and newspaper clippings, date not given.

Adjutant General's Office record, December 29, 1894.

January 3, 1895, Assistant Secretary Doe awards.

One medal issued January 7, 1895.

2495. Langbein, J. C. Julius.

Case No. 2421 (5428 A-84). Sioux campaign, 1876. Carried dispatches to Fort Buford.

March 18, 1884, applicant writes Gen. Otis, who states he is entitled to certificate of merit, and highly commends.

Gen. Sheridan, June 19, 1884, states certificate of merit is for private soldier only.

October 9, 1884, 2421 requests medal.

Secretary of War January 9, 1884. awards.

One medal issued November 19, 1884.

2421. Schon, Julius.

Case No. 2171 (452217). Farmville, Va., April 7, 1865. Regiment surprised and nearly overwhelmed; dashed forward, under fire, reached right of regiment, and prevented disaster that was imminent.

Applies for medal June 8, 1896; incloses sworn statements.

Affidavit Col. William A. Corrie, Eighth Pennsylvania Cavalry (signed by mark), September 2, 1896.

September 18, 1897, letter A. W. Slack to Congressman Harmer; also letter applicant to same.

Affidavits of Surg. S. B. Lightner and Lieut. and Commissary Frank Inman.

August 7, 1897, Secretary Alger denied medal, but stating that it was evident this man was brave soldier.

Col. W. A. Corry formal statement April 22, 1897.

Congressman Bingham requests reconsideration; Congressman Harmer requested by A. M. Slack, August 9, 1897, to again submit case to Secretary of War.

October 20, 1897, Alger in consideration of fact that this man was commissary sergeant and noncombatant, former action reversed and medal awarded.

One medal issued October 30, 1897.

2171. Galloway, John.

Case No. 2514 (57888-77). Malvern Hill, Va., August 6, 1862. Remained on duty while suffering from an acute illness and very weak; participated in action of that date. Had been transferred to staff corps, but preferred remaining until close of campaign, taking part in several actions.

May 28, 1897, 2514 applies for medal.

Military record Adjutant General's Office, July 2, 1897.

June 17, 1897, letter C. A. Woodruff, major Second Artillery.

Extract reports, commendatory, July 7, 1862, Lieut. Col. Hays, Capt. J. M. Robertson, Second Artillery, and Gen. A. Pleasanton, August, 1862.

July 3, 1897, Secretary Alger awards.

One medal issued July 3, 1897.

2514. Wilson, John M.

Case No. 2180 (503928). Amelia Springs, Va., April 5, 1865. Under severe fire of enemy and troops in retreat, went between lines to assistance of wounded and helpless comrade; rescued him from death or capture.

December 13, 1897, and January 4, 1898, sworn statement in full of Eugene Van Buren, the rescued comrade, giving details and requesting medal for 2180.

January 8, 1898, Adjutant General's record shows clear case.

March 28, 1898, Secretary of War awards.

One medal issued April 4, 1898.

2180. Chandler, Stephen E.

Case No. 2182 (395671). Dabneys Mill, Va., February 6, 1865. Sprang between lines and brought out wounded comrade about to be burned in brush.

August 18, 1894, Chauncey F. Black applies for medal for 2182 and submits documents relating to further application of friends of 2182.

Adjutant General's record shows application T. F. McCoy, late colonel One hundred and seventh Pennsylvania, in which he says: "This young son of Ireland showed his attachment to adopted country by enlisting at 14 as a drummer boy, etc. * * * I esteem him as one of the most reliable and gallant men in battle that I had in my command."

Adjutant General's record clean.

One medal issued August 29, 1894.

2182. Delaney, John C.

Case No. 2512 (431755). Wilsons Creek, Mo., August 10, 1861. Displayed conspicuous coolness and heroism in rallying troops recoiling under heavy fire.

August 21, 1895, applies for medal; incloses statements of First Lieut. Fish, First Missouri, dated August 21, 1895.

Gen. John C. Fremont, August 13, 1861, specially mentions this man for zeal and courage.

Secretary Doe awards.

One medal issued October 30, 1895.

2512. Wherry, William M.

Case No. 2517 (1028524). Tallahatchie River, Miss., August 7, 1864. One of four volunteers, swam river under fire of enemy sharpshooters; brought over ferryboat, by which troops crossed and dislodged enemy from strong position. June 19, 1895, applies for medal, inclosing copy order dated August 8, 1864. Lieut. Col. Brown, Aug. 15, 1864, commends this man in general order.

July 7, 1905, Gen. Bates approves.

One medal issued August 24, 1905.

2517. Porter, Ambrose.

Case No. 2518 (574146). Fort Wagner, S. C., July 18, 1863. Color sergeant shot down, grasped flag, led way to parapet, and planted colors thereon. When troops fell back, brought off flag; twice severely wounded.

January 15, 1900, C. A. Fleetwood, sergeant major Fourth U. S. C. T., requests medal for this man; cites various reports and incloses three affidavits.

Col. Hallowell, Fifty-fourth Massachusetts, specifically mentions in report dated November 7, 1863.

One medal issued May 23, 1900.

2518. Carney, William H.

Case No. 2519 (335869-93). Fredericksburg, Va., December 13, 1862. Took colors as they fell from wounded color bearer, carried them in charge.

Indorsement on discharge, dated May 31, 1863, notes taking of colors in hottest part of engagement; signed by Col. Bayne, One hundred and thirty-sixth Pennsylvania Regiment. Additional evidence February 25, 1893, by captain Company A, One hundred and thirty-sixth Pennsylvania: "Did not see incident, but knew facts."

June 23, 1893, Assistant Secretary concurs in Schofield's recommendation, "Medal honor not necessary."

August, 1893, Grant awards medal.

One medal issued August 21, 1893.

2519. Petty, Philip.

Case No. 2508 (491499 and 495414). Blackburns Ford, Va., July 18, 1861. Remained in action when part of regiment broke in disorder; joined another company; fought with it throughout remainder of engagement.

Application August 26, 1897, for medal in form of sworn statement; medal denied; additional evidence asked for.

October 11, 1897, late Lieut. J. B. Foote, Twelfth New York Volunteers, submits report, on which Secretary Alger awards medal.

One medal issued October 23, 1897.

2508. Rand, Charles F.

Case No. 2184 (1077871). Hatchers Run, Va., February 6, 1865. Under heavy fire, carried off field officer severely wounded; also led charge on enemy's rifle pits.

Claim based on General Order 11, headquarters Army of the Potomac, March 8, 1865, specifically mentioned 2184 under name of "Clark."

One medal issued January 3, 1906.

2184. Sagelhurst, John Christopher.

Case No. 2516 (709653). Gettysburg, Pa., July 1, 1863. While engaged repelling enemy attack received severe wound in right arm; remained at front in command of regiment.

May 1, 1902, Col. Stone, brigade commander, in letter requests medal.

December 24, 1902, Gen. O. O. Howard's letter.

Adjutant General's record January 10, 1903, gives commendatory extracts from contemporaneous reports of Col. Wister, Gen. T. A. Rowley, and Gen. Doubleday.

General Staff memorandum December 28, 1904, adverse consideration.

December 29, 1904, Gen. Gillespie states under law and regulations does not seem possible to award.

Gen. Chaffee, December 31, 1904, recommends medal on ground of reports showing special gallantry in battle.

Assistant Secretary Oliver awards.

One medal issued May 27, 1905.

2516. Huidekoper, Henry S.

Case No. 2507 (270816). Savage Station, Va., June 29, 1862. Led regiment on enemy's battery, silenced guns, held position against overwhelming numbers, and covered retreat of Second Army Corps.

December 4, 1890, applies for medal, inclosing letters of Heeley, Sixty-ninth Regiment, dated November 29, 1890; also two letters, Brig. Gen. B. W. Burns, August 1, 1883, and December 1, 1890.

Nothing in Adjutant General's record showing distinctive service.

Schofield, February 9, 1891, recommends medal, which Assistant Secretary of War, after personally reviewing case, awards.

One medal issued February 18, 1891.

2507. Quinlan, James.

Case No. 2511 (470942). Bull Run, Va., August 30, 1862. Under heavy fire voluntarily carried information to battery commander which enabled him to save guns from capture. Severely wounded, refused to go to hospital, participated in remainder campaign.

August 27, 1897, Adjutant General's brief.

February 18, 1897, Neuber, of the same company, requests medal for 2511; later furnishes statement from four other members.

August 27, 1897, George W. Davis, in opinion, considers 2511 to have fully earned medal.

Secretary Alger awards August 27, 1897.

One medal issued September 17, 1897.

2511. Webb, James.

Case No. 2510 (27624-92). Texas, December 30, 1891. Carrying dispatches, attacked party of three armed men, secured papers valuable to United States.

March 2, 1892, Capt. Bourke, Third Cavalry, recommends for medal; Gen. Stanley indorses, March 9, 1892, approving recommendation for medal.

Schofield, April 14, 1892, recommends medal; Grant awards on recommendation.

One medal issued April 25, 1892.

2510. Walker, Allen.

Case No. 2515 (1370171). Cedar Creek, Va., October 19, 1864. Voluntarily led charge across bridge against lines of enemy.

April 21, 1908, applies for medal; well supported by extracts contemporaneous records of T. C. Devin, August, 1863-1865; Col. Fitzhugh, March 19, 1865.

May 17, 1908, Acting Secretary Oliver awards.

One medal issued June 1, 1908.

2515. Blunt, John W.

Case No. 1551 (409609). Port Hudson, La., July 4, 1863. Voluntarily exposed himself to heavy fire to get water for comrades in rifle pits.

March 2, 1895, applies for medal, inclosing affidavit W. H. Hurd, Lieutenant, Fiftieth Massachusetts Infantry, company commander.

Testimony of eyewitnesses asked for.

July 4, 1863, newspaper clipping.

Certificate, Thaddeus Giles, private, Fiftieth Massachusetts, submitted.

Certificate (not dated).

October 28, 1895, Secretary of War Doe awards.

One medal issued November 2, 1895.

1551. Hanna, Marcus A.

Case No. 1548 (508474). Port Hudson, La., June 14, 1863. Two trips across open space swept by enemy fire, secured water for sick and wounded.

February 7, 1898, Congressman Hill applies for medal, giving statements of 1548, July 30, 1897; Capt. George W. Middleton, July 31, 1897; Charles Hoehl, October 18, 1897; letter Chaplain Richard Wheatley, Twenty-eighth Connecticut, January 30, 1897.

Affidavits of George Middleton, July 31, 1897; Hoehl and Fox.

Secretary of War Alger awards March 22, 1898.

One medal issued April 1, 1898.

1548. Fox, Nicholas.

Case No. 2499 (465061). Wilsons Creek, Mo., August 10, 1861. Captured riderless horse between lines, under fire, hitched it to piece of artillery and saved gun from capture.

Senator Gear submits application for medal December 22, 1896.
 Joint affidavits by Hokamp and Knoup, January 12, 1897, comrades.
 Assistant Secretary of War Doe awards February 9, 1897.
 One medal issued February 16, 1897.
 2499. Bouquet, Nicholas.

Case No. 2513 (9228-87). Champion Hill or Bakers Creek, Miss., May 16, 1863. Badly wounded in breast, captured his captor and brought him into camp.

September 28, 1887, applies for medal, giving extracts from contemporaneous recommendations May 18, 1863, Col. Slack, brigadier general, commanding.

One medal issued November 17, 1887.

2513. Wilhelm, George.

Case No. 2593 (343105). Tientsin, China, July 13, 1900. Although previously wounded while carrying comrade to place of safety, rejoined command, remained after command withdrawn, keeping up fire until shot off this position by enemy.

June 13, 1903, applicant cites recommendation for medal; forwarded, approved by Col. C. F. Robe.

Original recommendation July 19, 1900, Lieut. W. H. Waldron, Ninth Infantry, concurred in by Maj. J. M. Lee and Lieut. Col. Coolidge.

July 15, 1903, brevet board recommends mention in orders; approved September 3, 1903, by Gen. Young, C. S.

A medal appears to have been awarded.

One medal issued June 7, 1913.

2593. Von Schlick, Robert H.

Case No. 2592 (347495). Peking, China, April 14, 1900. Gallant and daring conduct in presence of his colonel; was first to scale wall of city.

September 11, 1900, Col. Daggett, Fourteenth Infantry, recommends medal; incloses report of Lieut. J. F. Gohns, September 11, 1900.

Recommended for medal by board of officers, China Expedition; report Gen. Chaffee, October 16, 1900.

Gen. J. H. Wilson and Gen. Chaffee concur in recommendations for medal.

One medal issued March 11, 1902.

2592. Titus, Calvin Pearl, musician.

Case No. 2594 (268026). Santiago, Cuba, July 1, 1898. Left cover, and under fire, rescued wounded comrade from drowning.

March 15, 1899, Second Lieut. J. C. Smith, Ninth United States Infantry, makes report and recommendation.

Col. T. A. Baldwin, Seventh Cavalry, recommends, also Col. Whitside.

May 5, 1899, affidavit of Blacksmith C. Parker.

One medal issued July 3, 1902.

2594. Baker, Edward L., jr.

Case No. 2587 (309882). Near Imus, Luzon, P. I., November 20, 1899. Carrying important orders, desperately wounded, unable to walk, crawled and delivered orders.

November 20, 1899, Lieut. H. N. Way, Fourth Infantry, recommends medal; supported by affidavit and certificate two eyewitnesses.

Recommended by Capt. Cowles, Col. Price, Col. Daggett, and Gen. Hall.

November 13, 1900, Philippine Board recommends medal.

One medal issued April 25, 1902.

2587. Wetherby, John C.

Case No. 2590 (475978). Tientsin, China, July 13, 1900. While under fire rescued two of his men from drowning.

July 19, 1900, Maj. J. M. Lee, Ninth Infantry, recommends medal; concurred in by Lieut. Col. Coolidge, Ninth Infantry.

March 5, 1903, Gen. Miles's letter.

July 15, 1903, Brevet Board (Gen. Young, president) recommended medal.

August 29, 1903, Acting Secretary of War Oliver awards.

One medal issued September 15, 1903.

2590. Brewster, André W.

Case No. 2591 (363587 and 343103). Tientsin, China, July 13, 1900. Carried message, guided reinforcements across wide fire-swept space; thrice wounded.

July 20, 1900, Maj. J. M. Lee, Ninth Infantry, recommends medal; concurred in by Lieut. Col. Coolidge, Ninth Infantry, regiment commander.

November 6, 1900, Gen. Chaffee submits report of board; Col. Robe, Maj. A. Rodgers, and Lieut. Julian R. Lindsey, on brevets and medals China Expedition, 2591 recommended for medal.

One medal issued March 11, 1902.

2591. Lawton, Louis B.

Case No. 2584 (320365). Tinuba, Luzon, P. I., March 4, 1900. Shot at from ambush, companion severely wounded; fired upon enemy, put them to rout; removed wounded officer from path; returned to town for assistance.

March 4, 1900, Capt. J. M. Sigworth, Ninth Infantry, recommends medal; concurred in by Lieut. Col. Coolidge and Col. E. H. Liscum.

March 10, 1900, Gen. McArthur believes not suitable case for medal; no eye-witnesses.

April 26, 1900, on Gen. Miles's recommendation, Secretary of War Root awards.

One medal issued June 25, 1900.

2584. Wallace, George W.

Case No. 2585 (391238). Between Calubus and Magalong, P. I., November 5, 1899. Alone and unaided charged body of 15 insurgents, dislodging them, killing four and wounding several.

January 10, 1901, Capt. T. H. Slavens, quartermaster, recommends medal; no other witnesses.

Philippine Board, June 2, 1901, recommends certificate merit.

One medal issued March 15, 1902.

2585. Weaver, Amos.

Case No. 2586 (1218292). La Paz, Leyte, P. I., December 5, 1906. With right arm cut open by bolo, went to assist wounded comrade and soldier who were surrounded by 40 Pulajaness; using rifle as club, beat back assailants and rescued his party.

June 18, 1907, Capt. S. V. Ham, Eighth Infantry, submits report and recommends medal; concurred in by Col. C. P. Terrett; supported by two affidavits and one certificate.

Philippine Board recommends medal for act of "superb and unexampled gallantry."

September 1, 1908, Adjutant General's Office records on case.

Oliver awards medal September 10, 1908.

One medal issued October 10, 1908.

2586. Weld, Seth L.

Case No. 2624 (1903216). Agua Prieta, Mexico, April 13, 1911. Crossed field of fire to obtain permission of commander to receive surrender surrounded forces Mexican federals and escort such forces, together with five Americans held as prisoners, to American line.

April 4, 1912, Second Lieut. L. Moore recommends medal.

March 26, 1912, affidavit Charles M. McKean.

April 8, 1912, Sergt. F. Strather affidavit and Sergt. H. B. McManies, Company K, First Cavalry.

Lieut. L. Moore affidavit April 3, 1913.

Lieut. Col. John Gardner recommends approval; Gen. Mares considers conduct highly meritorious.

June 20, 1912, Judge Advocate General Crowder's opinion.

One medal issued November 23, 1912.

2624. Gaujot, Julien E.

Case No. 2582 (2022339). Near Nasugbu, Batangas, P. I., November 23, 1901. Pursuit band insurgents, galloped forward to their confusion until arrival of others of detachment, thus presumably saving his men.

March 26, 1913, applicant cites recommendation of J. E. Meade March 29, 1903, for medal.

April 18, 1913, Board Gen. Mills, Garlington and Lieut. Russell; proceedings approved by Gen. Wood April 30, 1913, recommended medal.

One medal issued May 19, 1913.

2582. Van Schaick, Louis J.

Case No. 2583 (387607). Near Taal, Luzon, P. I., January 18, 1900. Under heavy fire rescued dying comrade sinking beneath water.

May 8, 1900, Maj. W. H. Johnston, Forty-sixth Infantry, recommends medal; supported by certificate. Lieut. Sweet and two affidavits; approved by Col. Schuyler, Gen. Hall, and Gen. Bates.

Philippine Board, November 17, 1900, recommends medal.

One medal issued March 11, 1902.

2583. Walker, Frank O.

Case No. 2577 (61060). Tullahan River, P. I., March 25, 1899. Voluntarily exposed himself to fire of enemy, and went with four men to relief of two wounded Filipinos; personally carried one to place of safety.

October 6, 1906, Capt. Lloyd England, Artillery Corps, refers to his report of March 25, 1899; refers to medal recommendation for 2577; indorsed by Maj. Kobbe, Third Artillery, and Gen. Wheaton, April 19, 1899; recommended brevet; Gen. MacArthur concurring.

Extracts from contemporaneous reports; all commendatory.

March 26, 1901, Philippine Board recommended brevet.

October 24, 1906, Acting Secretary Oliver awards medal.

One medal issued November 22, 1906.

2577. Shiels, George F.

Case No. 2578 (388093). Near Paete, Luzon, P. I., April 12, 1899. Single-handed and alone defended dead and wounded comrades against greatly superior force.

June 20, 1899, Maj. J. H. Frairie recommends medal; two affidavits June 18, 1899. Lieut. T. H. Tharalson and May 31, 1899, Capt. Frairie, First North Dakota Volunteers.

Approved by Lieut. Col. Treumann, First North Dakota; Gen. R. H. Hall and Gen. Lawton approves and earnestly recommends July 3, 1899.

November 13, 1900, Philippine Board recommends medal.

One medal issued March 11, 1902.

2578. Slettleland, Thomas.

Case No. 2579 (320524). Passi, Island of Panay, P. I., November 26, 1899. While crossing river face enemy, saved from drowning an enlisted man of regiment.

January 15, 1900, Maj. J. F. Huston, Nineteenth Infantry, reports incident; two certificates; February, 1900, self and Lieut. G. L. Hicks, and one affidavit February 8, 1900, Pvt. Aiken.

January 15, 1900, Gen. R. P. Hughes recommends, and on Gen. Miles' recommendation, April 26, 1900; Secretary Root awards May 15, 1900.

One medal issued June 26, 1900.

2579. Stewart, George E.

Case No. 2573 (436960). Near Zapote River, Luzon, P. I., June 13, 1899. With nine men volunteered to hold advanced position against terrific fire of enemy, estimated 1,000 strong. Taking rifle from wounded man, killed five of enemy.

October 17, 1899, Gen. H. W. Lawton's report of engagement and recommends specifically.

May 27, 1902, letter of mother of 2573.

Brevet board recommended medal.

July 24, 1902, Secretary of War awards medal.

One medal issued July 24, 1902.

2573. Sage, William H.

Case No. 2574 (391234). Carig, P. I., September 14, 1900. With 22 men defeated 400 insurgents, killing 36 and wounding 90.

March 31, 1901, Capt. T. M. Moody, Sixteenth Infantry, recommends for medal.

Two affidavits accompanying.

Approved by Maj. Whittall, Sixteenth Infantry; Col. Hood and Gen. Wheaton.

Philippine board recommends medal.

One medal issued March 10, 1902.

2574. Schroeder, Henry F.

Case No. 2575 (503671). Fort Pitacus, Mindanao, P. I., May 4, 1903. Distinguished gallantry leading assault under heavy fire from enemy, maintaining alone position on parapet after first three men who followed had been killed or wounded, until foothold was gained by others and capture place assured.

Memorandum report General Staff April 18, 1904.

Gen. J. J. Pershing recommended medal; concurred in by regimental commander, Philippine board, and Gen. Wade.

Chaplain G. D. Rice, Twenty-seventh Infantry, April 27, 1904, recommends. One medal issued June 9, 1904.

2575. Shaw, George C.

Case No. 2558 (337054). Hilongas, Leyte, P. I., May 6, 1900. Charged occupied bastion, saving life of officer in hand-to-hand conflict, destroying enemy.

September 11, 1900, Maj. L. C. Andrews, Forty-third Infantry, recommends medal; approved by Gen. Hughes and Col. Murray.

Statement Capt. L. E. Polk, Forty-third Infantry.

Two affidavits, Sands and Newman.

Philippine Board, March 24, 1901, recommends medal.

One medal issued March 11, 1902.

2558. Maclay, William P.

Case No. 2565 (1970920). Lapurap, Basilin, P. I., September 24, 1911. Badly wounded, continued to fire rifle with one hand until enemy repulsed, aiding materially in preventing annihilation of party and mutilation of bodies.

March 19, 1912, Lieut. A. Cody, Philippine Scouts, recommends medal.

Highly commended by Maj. J. T. Finley, Twenty-eighth Infantry.

April 2, 1912, Gen. Pershing unhesitatingly recommends medal.

Supported by five affidavits and three statements.

Recommended by Philippine Board, Col. W. D. Beach, president.

One medal issued November 25, 1912.

2565. Nisperos, José B.

Case No. 2566 (388110). Near Labao, Luzon, P. I., May 20, 1900. Voluntarily left shelter at great personal risk, passed enemy's lines, brought relief to besieged comrades.

June 16, 1900, Lieut. Blakir, Forty-fifth Infantry, recommends medal.

August 21, 1900, Capt. A. Steinhauser makes affidavit; approved by Col. Lockett, Col. Dorst, and Gen. Bates.

Philippine Board recommends medal November 13, 1900.

One medal issued March 14, 1902.

2566. Nolan, Joseph A.

Case No. 2540 (319790). Near Mount Cebu, Amla, P. I., February 4, 1900. Single handed, defended mortally wounded captain from overwhelming enemy force.

February 6, 1900, Second Lieut. N. A. Campbell, Nineteenth Infantry, commander Company G, reports action.

June 11, 1900, Maj. W. Wolfe, Nineteenth Infantry, recommends medal.

June 12, 1900, E. J. McClelland approves; Gen. R. P. Hughes, June 26, and Gen. McArthur, July 9, approve.

Philippine Board, November 13, 1900, recommends medal.

One medal issued March 10, 1902.

2540. Gedeon, Louis.

Case No. 2550 (1275304). Mount Bud-Dajo, Jolo, P. I., March 7, 1906. Voluntarily took part in and was dangerously wounded in assault on enemy's works.

Gen. Duval, G. S., August 19, 1907, in report, pages 11 and 12, recommends; page 13, issue medal not recommended.

Certificate of Maj. Bundy, Sixth Infantry.

October 11, 1910, Gen. Wood repeats his recommendation of April 22, 1906, for medal.

Memorandum General Staff signed by J. W. Duncan.

October 11, 1910, Secretary Oliver awards.

General Order 207, War Department, November 7, 1910, refers to 2550.

One medal issued November 7, 1910.

2550. Johnston, Gordon.

Case No. 2552 (976919). Paco Bridge, P. I., February 5, 1899. Within range of 250 yards of enemy, in face of rapid fire, climbed telegraph pole and coolly repaired broken wire, establishing communication with front.

February 1, 1905, Gen. Charles King recommends.

February 8, 1905, Gen. T. M. Anderson eyewitness.
 Asks for reconsideration of report of Philippine Board for brevet.
 Adjutant General's record showing official reports contemporaneous.
 March 23, 1905, Assistant Secretary Oliver awards.
 One medal issued May 6, 1905.
 2552. Kilbourne, Charles E.

Case No. 2555 (671664). San Jacinto, P. I., November 11, 1899. Most distinguished gallantry leading battalion upon enemy entrenchments; fell mortally wounded.

January 30, 1900, Gen. Wheaton recommends medal.

February 2, 1900, approved by Gen. Otis.

Denied by Melklejohn August 6, 1900, on account of soldier being dead; decision Judge Advocate General.

Brief Adjutant General's office; case well supported by extract reports and contemporaneous recommendations.

April 3, 1902, Secretary Root awards; delivery to heirs.

One medal issued May 3, 1902.

2555. Logan, John A.

Case No. 2539 (1737717-11). San Mateo, P. I., December 19, 1899. Attempted, under heavy fire, to swim river for purpose obtaining canoe.

February 13, 1911, Congressman J. A. Hughes in behalf of this man.

Adjutant General's office record, January 31, 1911, mentioned for individual acts of bravery, by G. L. Byram, major, Twenty-seventh Infantry; H. Atkinson, captain, Twenty-seventh Infantry.

February 1, 1911, Assistant Secretary Oliver awards.

One medal issued February 15, 1911.

2539. Gaujot, Antoine A.

Case No. 2541 (680380). San Mateo, P. I., December 19, 1899. Attempted, under heavy fire, to swim river for purpose obtaining canoe.

May 24, 1905, Congressman Knowland applies in behalf of this man.

Adjutant General's office record; Capt. Atkinson and Capt. Byram both commend this man.

Same basis as Gaujot (2539).

Assistant Secretary Oliver awards.

One medal issued April 5, 1911.

2541. Gibson, Edward H.

Case No. 2543 (403987). Near Majade, Laguna Province, P. I., July 2, 1901. Charged, alone, insurgent outpost, killing one, wounding two, capturing three with equipment.

July 10 and August 7, 1901, Capt. G. B. Duncan, Fourth Infantry, recommends for medal; supported by five affidavits; approved by Gen. Baldwin and Gen. Wade.

August 29, 1901, Philippine Board recommends medal.

One medal issued March 10, 1902.

2543. Greer, Allen J.

Case Nos. 2548 and 2538 (387855). Near Bamban, Luzon, P. I., November 9, 1899. Distinguished gallantry and conspicuous bravery in action against insurgents.

Gen. J. F. Bell, recommends both men for medals.

Certificate, H. A. Hegeman, Thirty-sixth Infantry.

Philippine Board, March 15, 1901, recommends two certificate merits.

June 9, 1899, Lieut. J. E. Thornton, Second Oregon, recommends; supported by two affidavits.

Adjutant General's memorandum, April 18, 1902; medals awarded.

Two medals issued October 9, 1892. (1902).

2548. Huntsman, John A. 2538. Galt, Sterling A. April 30, 1902.

Case No. 2532 (391231). Near Calucut, Luzon, P. I., November 5, 1899. In command detachment charged and routed 40 insurgents, inflicting heavy loss.

Capt. T. H. Slavens, Quartermaster Corps, recommends for medal.

Affidavits, April 30, 1901; H. V. Bennett and E. C. Wisely, Company L, Seventeenth Infantry.

Philippine Board recommends medal.

One medal issued March 11, 1902.

2532. Condon, Clarence.

Case No. 2533 (276735). Near San Isidro, P. I., May 16, 1899. With 21 other scouts, charged across burning bridge under heavy fire and routed 600 enemy intrenched.

June 9, 1899, Lieut. J. E. Thornton, Second Oregon, recommends medal; supported by two affidavits July 2, 1899, of R. M. Longfellow; First North Dakota, and M. Glasley.

Gen. Lawton's indorsement July 17, 1899, approved and recommended.

One medal issued April 28, 1906.

2533. Davis, Charles P.

Case No. 2537 (281608-99). Rio Grande de la Pampanga, Luzon, P. I., April 27, 1899. Crossed river on raft enabling general to carry enemy's intrenched position and drive him with great loss from important position.

May 10, 1899, Gen. Wheaton recommends for medal.

July 22, 1899, Gen. McArthur says should issue without delay.

July 25, 1899, Gen. Otis approves.

February 14, 1900, Assistant Secretary Melklejohn awards.

One medal issued February 14, 1900.

2537. Funston, Frederick.

Case No. 2530 (388109). Near Sariaya, Luzon, P. I., August 23, 1900. Single handed defended disabled comrade against greatly superior force of enemy.

September 22, 1900, Capt. H. S. Kerrick, Thirtieth Infantry, recommends.

Certificate, Lieut. Charles V. Bear and Corpl. D. A. Cooney, Thirtieth Infantry; approved by Col. Gardner September 30, 1900, and Gen. Bates October 18, 1900.

Philippine Board recommends medal.

One medal issued March 14, 1902.

2530. Cawetzka, Charles.

Case No. 2529 (1081696). Catubig, Samar, P. I., April 15-19, 1900. Assumed command of detachment which had survived overwhelming attack; withstood for two days attacks of large enemy force, saving lives of survivors, and protecting wounded until relief came.

December 18, 1905, letter, Senator Lodge, behalf of, 2529.

Report Capt. Day, Forty-third Infantry, April 22, 1900, highly recommended.

Recommendation, Maj. J. C. Gilmore April 24, 1900, with two affidavits July 24, 1900, and March 26, 1901.

Recommended by board for certificate but was mustered out before it reached War Department.

December 23, 1905, Secretary Oliver awards.

One medal issued January 4, 1906.

2529. Carson, Anthony J.

Case No. 2531 (1554720). Bud-Dajo, Jolo, P. I., March 7, 1906. Under fire at short range carried to place of safety wounded men and body of man killed beside him.

May 7, 1906, certificate, Capt. Wetherill; May 23, 1906, three affidavits, Corpl. J. Saldridge, Sergt. W. McDonald, and Sergt. J. W. Tom, Company D, Nineteenth Infantry.

Capt. E. P. Lawton, Nineteenth Infantry, May 1, 1906, recommended; approved by Col. Varnum, Fourth Cavalry; Col. Duncan, Sixth Infantry; Gen. T. H. Bliss, department commander, and Gen. Wood.

Memorandum, Adjutant General's Office, September 14, 1909; September 15, 1909, medal denied by Secretary Oliver.

Memorandum by Gens. Duvall, Wotherspoon, and Carter.

2,531 appeals for reconsideration; February 14, 1911, Adjutant General's Office memorandum synopsis.

Gen. Duncan's favorable report.

February 3, 1913, General Orders, No. 7, War Department. Medal awarded.

One medal issued January 23, 1913.

2531. Cecil, Josephus S.

Case No. 2545 (442539). Vigan, P. I., December 4, 1899. Pushed through enemy's lines alone to beleaguered force at Vigan; returned following morning to report condition to Navy and secure assistance.

July 8, 1902, Maj. James Parker recommends for medal.

Copy letter October 29, 1900, Commander Harry Knox, United States Navy.

November 15, 1900, Gen. S. B. M. Young's report operations October 11, 1899, to January 5, 1900.

Brevet board recommended for brevet for Cuban and Porto Rican service.

August 11, 1902, medal recommended by brevet board, and December 12, 1902, Secretary Root awarded medal.

One medal issued December 17, 1902.

2545. Hayes, Webb C.

Case No. 2564 (2132042). Bagsak Mountain, Jolo, P. I., June 11, 1913. Voluntarily entered cleared space within 20 yards Moro trenches under fire; carried wounded soldier to safety at risk of own life.

Philippine Board, December 10, 1913, recommends medal; approved by Gen. Bell December 20, 1913.

June 23, 1913, Capt. G. C. Charleton, Philippine Scouts, recommends; approved November 2, 1913, by Gen. Pershing; supported by certificate of Charleton and affidavit First Sergt. M. Baldwin.

War Department, General Order 18, March 16, 1914; commendatory order.

One medal issued March 27, 1914.

2564. Mosher, Louis C.

Case No. 2535 (686796). Vigan, Luzon, P. I., December 4, 1899. Discovered party insurgents inside a wall; climbed and forced them to stack arms and surrender.

Col. M. D. Cronin forwards recommendation by Col. J. Parker for medal, supported by certificate Capt. Van Way and affidavit Pvt. W. O. Trafton.

Brevet board recommends certificate of merit.

One medal issued February 7, 1902.

2535. Epps, Joseph L.

Cases Nos. 2581 (391857) and 2588. Calumpit, Luzon, P. I., April 27, 1899. Swam Rio Grande de Pampanga in face enemy's fire, fastened rope to occupied trenches, enabling a crossing and the driving of enemy from fortified position.

January 18, 1901, recommended by Gen. Funston and certificate Second Lieut. Mitchell, Twentieth Kansas; approved and recommended by Gen. Whenton, eye-witness.

Cases reviewed by board and medals for both men recommended.

Two medals issued March 11, 1902.

2581. Trembley, William B.

2588. White, Edward.

Case No. 2560 (390829). Vigan, Luzon, P. I., December 4, 1899. Fought for hours lying between two dead comrades; clothing plowed by bullets; face cut and bruised by flying gravel.

January 18, 1900, Capt. Charles Van Way, Thirty-third Infantry, recommended this man for medal.

Two affidavits support testimony.

Approved by regimental commander, Col. M. D. Cronin, Thirty-third Infantry.

Philippine Board recommends certificate merit.

One medal issued October 1, 1902.

2560. McConnell, James.

Case No. 2528 (388089). Bobong Negros, P. I., July 19, 1899. Most distinguished gallantry in rallying men on bridge after line had been broken and pushed back.

Report of expedition of 2528; recommended in indorsement by Col. C. W. Miner, Sixth Infantry; approved by Gens. J. F. Smith, R. P. Hughes, Otis, and Miles.

November 13, 1900, Philippine Board reviews and recommends medal.

June 26, 1902, certificate of merit board, Gen. Young, president, recommends medal and Secretary of War awards.

One medal issued July 15, 1902.

2528. Byrne, Bernard A.

Case No. 2567 (392252). Vigan, Luzon, P. I., December 4, 1899. Repulsed savage night attack by overwhelming numbers, fighting in dark, close quarters hours.

Page 28, Gen. S. B. M. Young's report June 7, 1900, campaign of northern Luzon.

Referred to brevet board.

March 8, 1902, Secretary of War awards.

One medal issued March 8, 1902.

2567. Parker, James.

Case No. 2580 (1149722). Alos, Province of Zambales, Luzon, P. I., December 21, 1899. Voluntarily exposed himself to hot fire and rescued wounded officer.

Gen. Bell recommends for medal with two others.

March 15, 1899, board does not concur in recommendation.

July 19, 1906, Col. Havard recommends medal on Bell's recommendation made August, 1900.

Military record given.

Cablegram from Merritt, August 27, 1898: "Recommended; fully justified for brevet."

Medal honor not awarded.

Report J. W. French, lieutenant colonel Twenty-third Infantry, commends; 2580.

July 27, 1906, Acting Secretary Oliver awards.

One medal issued October 6, 1906.

2580. Straub, Paul F.

Case No. 2536 (693201). Near Porac, Luzon, P. I., September 28, 1899. Charged alone a body of the enemy and captured a captain.

J. F. Pell, August 1, 1900, certificate and recommendation for medal; supported by certificate First Lieut. Goehr.

Recommended by board for medal.

Official report of operations of Thirty-sixth Infantry.

One medal issued March 8, 1902.

2536. Ferguson, Arthur M.

Case No. 2563 (1655000). Near Mahitac Laguna, Luzon, P. I., September 17, 1900. After attacking party demoralized, led small body troops under severe fire through water in attack against enemy.

Application for medal to Adjutant General's Office by 2563.

September 5, 1901, letter inquiry as to action taken.

March 25, 1910, Senator Carter to, 2563 writes letter.

May 27, 1910, brief Adjutant General's Office.

Col. Cheatham, Thirty-seventh United States Veteran Infantry, recommended medal, November 27, 1900.

November 27, 1900, letter of Lieut. Harker, Fifteenth Infantry, commendatory report, November 22, 1900.

November 28, 1900, Gen. R. H. Hall reports adversely.

Philippine board recommends brevet major—no brevet awarded.

Lieut. H. M. Reeve, Third Infantry, gives extract reports. Extract reports

Gen. Bates's specific mention of 2563.

May 28, 1910, Assistant Secretary Oliver awards.

One medal issued June 10, 1910.

2563. Moran, John E.

Case No. 2524 (458875). Bayong, near Lake Lanao, Mindadano, P. I., May 2, 1902. Crossed fire-swept field, close range enemy; wounded soldier to place safety.

Memorandum Gen. Chaffee, C. S., March 18, 1904, recommends medal.

Approved by Assistant Secretary of War Oliver March 28, 1904.

This man first recommended by Gen. Baldwin.

Board officers and division commander Philippines recommended medal.

War Department board acted adversely.

First Division General Staff noted that record justified recommendation of first board for medal.

One medal issued April 28, 1904.

2524. Bickham, Charles G.

Case No. 2523 (701353). Near Porac, Luzon, P. I., September 9, 1899. In advance of regiment charged seven insurgents, compelled surrender captain and two privates, under close fire from remaining insurgents concealed in bamboo thicket.

September 20, 1899, W. R. Grove, lieutenant colonel, Thirty-sixth Infantry; P. F. Straub, adjutant and surgeon; A. M. Ferguson, first lieutenant, recommend medal; all eyewitnesses.

Two affidavits inclosed.

October 2, 1899, Maj. Gen. McArthur recommends favorable consideration. Gen. Otis notes performance this feat and many others during this war: "A wonder that he still lives."

Approved November 24, 1899.

One medal issued December 11, 1899.

2523. Bell, J. Franklin.

Case No. 2559 (387610). Near Labao, Luzon, P. I., October 29, 1899. While in attendance upon wounded and under severe fire, seized carbine and beat off attack upon wounded officers and men in his charge.

Certificate A. M. Ferguson, first lieutenant, Thirty-sixth Infantry, recommends medal.

Certificate and recommendation W. R. Grove; concurred in by Gen. Bell.

Affidavits of hospital corpsmen.

March 15, 1901, board review case and recommended medal.

One medal issued March 14, 1902.

2559. Mathews, George W.

Case No. 2525 (705061). Near Looc, Luzon, P. I., October 21, 1900. With 19 men, at close quarters, defeated 300 of the enemy.

Medal of honor recommended by Col. W. E. Birkhlmer, February 4, 1901, also for 13 others.

Board recommends certificate for all except 2525, for whom medal is recommended; approved and recommended by Gen. Kobbe.

General Order 101, Headquarters Department, Luzon, December 14, 1900, mentions specifically.

Supported by affidavits.

One medal issued March 11, 1902.

2525. Biegler, George W.

Cases Nos. 2570 (387611) and 2568 (387612). Near San Isidro, Luzon, P. I., October 19, 1899. Captured bridge and held against superior force, enabling army to come up and cross.

J. G. Ballance, Thirteenth Infantry, October 19, 1900, renews recommendation of May 24, 1900, for medal for 2570.

Affidavits of three eyewitnesses.

Gen. Young concurs in recommendation, having personal knowledge of service mentioned.

Board recommends medal March 22, 1901.

Case 2568: Basis of award similar.

Two medals issued April 18, 1902, and March 10, 1902.

2570. Ray, Charles W.

2568. Pierce, Charles H.

Cases Nos. 2521 (388106) and 2561 (388107). Calamba, Luzon, P. I. July 26, 1899. Swam San Juan River, face fire, and drove enemy from position in intrenchments.

March 13, 1900, report H. Hall, brigadier general, recommends medal for 2521 and to heirs of 2561; approved by J. C. Bates; approved by Gen. Otis, who states he has no present knowledge of facts.

May 18, 1900, recommended by Gen. Miles, who states the delay should not prevent present bestowal.

Recommended by board convened by Special Order 133, Division of the Philippines, Bates, Wheaton, and Funston.

Affidavit First Sergt. Krause, March 6, 1900; affidavit Gutsky, both Troop L, Fourth Cavalry.

2561 died November 7, 1899, from wounds.

Two medals issued March 8, 1902, and April 29, 1902.

2521. Batson, Matthew A.

2561. McGrath, Hugh J.

Case No. 2522 (390831). Near Porac, Luzon, P. I., October 17, 1899. Led successful charge, dispersing enemy, relieving members regiment from perilous position.

Brief of engagement of those who participated.

J. F. Bell recommends medal.

Board recommends.

Certificates of Grove, Capt. D. F. Craig, John M. Craig, Second Lieut. A. H. Davidson, all October, 1900.

Certificate C. M. Mathews, captain, and affidavits of Cavin and Zastrow.
One medal issued March 8, 1902.
2522. Bell, Harry.

Case No. 2544 (387608). Near Porac, Luzon, P. I., September 9, 1899. In advance of regiment rushed to assistance of his colonel, charging seven insurgents, compelling surrender of all not killed.

Gen. Bell, then colonel Thirty-sixth Infantry, August 1, 1900, certificate and recommendation for medal.

Certificate P. F. Straub, same.

Medal of honor board recommends medal.

Bell's report, July, 1900, inclosed.

One medal issued July 16, 1902.

2544. Grove, William R.

Cases Nos. 2542 (387617) and 2554. Near Porac, Luzon, P. I., September 3, 1899. Gallantly driving off superior force enemy; with assistance of comrade brought from field two comrades, one killed, other severely wounded.

Adjutant General brief.

R. S. Abernathy, Thirty-sixth Infantry, recommends medal for both men.

W. Harper, first lieutenant, recommends.

Affidavit, July 3, 1900, inclosed.

July 9, 1900, Col. Grove, Thirty-sixth Infantry, recommends; October 17, 1900,

J. F. Bell concurs.

Case 2554: Basis of award similar.

Board recommends certificate of merit November 15, 1900.

Two medals issued March 15, 1902.

2542. Gillenwater, James.

2554. Leahey, Cornelius.

Case No. 2264 (113033). Las Animas Canyon, N. Mex., September 18, 1879. Distinguished gallantry in action against hostile Indians.

August 3, 1898, Gen. Coppinger recommends medal, special gallantry.

June 20, 1899, Capt. Byron Dawson personal knowledge notes bravery and conspicuous gallantry.

Capt. H. H. Wright, Ninth Cavalry, July 5, 1899: Not an eyewitness but remembers gallant act talked about on evening of fight. Honestly believes him worthy of medal for gallantry.

August 9, 1899, Acting Secretary of War Meiklejohn awards.

One medal issued August 24, 1899.

2264. Emmet, Robert Temple.

Case No. 2282 (2607). Little Big Horn, Mont., June 26, 1876. One of party volunteers who under heavy fire brought water to wounded.

October 29, 1895, Capt. McDougall recommends 2282.

Troop commander affidavit March 12, 1895; John Hackett, Company K, Seventh Cavalry, eyewitness.

Affidavit November 1, 1895, Charles Campbell, eyewitness.

Troop Commanders Edgerly, Varnum, Godfrey, and Hare, Seventh Cavalry; no information on merits of case.

Not on list recommended by board July 29, 1878.

December 21, 1895, Assistant Secretary of War Doe awards.

One medal issued December 21, 1895.

2282. Goldin, Theodore W.

Case No. 1016 (44 ACP79). Lava Beds, Oreg., January 17, 1873. Rescued wounded soldier after two attempts by others.

E. C. Mason, September 1, 1897, applies for medal for 1016.

November 7, 1913, Calendar No. 805, last paragraph, shows necessity for legislation.

S. 2789 passed February 15, 1915, approved March 4, 1915.

Special Order 18, War Department, April 5, 1915, awards medal.

One medal issued April 6, 1915.

1016. Skinner, John O.

Case No. 954 (3977-93). Arizona, February 13-14, 1861. Voluntarily took command of troops and attacked and defeated hostile Indians he met on the way.

April 13, 1893, 954 incloses two memoranda and copy of order dated March 17, 1861.

First memorandum, commendatory indorsements: March 27, 1893, D. Robinson; April 3, 1893, A. E. Evans; April 8, 1893, R. F. Bernard, E. A. Carr, and W. Merritt, November 2, 1893; B. H. Grierson, October, 1893.

Second memorandum: D. Robinson, March 27, 1893; A. W. Evans, April 3, 1893.

On Gen. Schofield's approval, December 6, 1893, Assistant Secretary Doe awards.

One medal issued January 24, 1894.

954. Irwin, Bernard J. D.

Case No. 2285 (1555 B EBB). Florida Mountains, N. Mex., January 24, 1877. Gallantry in hand-to-hand fight.

General Order 5, February 5, 1877, furnishes example of gallantry and soldierly conduct; order of Capt. Beyer, Fifteenth Infantry; H. H. Wright, Ninth Cavalry scout, January 24, 1877.

H. H. Wright commends services December 6, 1878; Col. Hatch, Ninth Cavalry, February 20, recommends certificate merit.

Gen. Pope forwards; no recommendation.

Returned by Adjutant General December 31 to await action of Congress.

February 1, 1879, approved by Gen. Pope; February 3, 1879, approved by Gen. Sheridan and Gen. Sherman.

One medal issued June 26, 1879.

2285. Greaves, Clinton.

Case No. 2284 (969). Fort Phil. Kearny to Fort C. F. Smith, Dak. Ter., February, 1867. Bravery, energy, perseverance, involving much suffering and privation through attacks by hostile Indians, deep snows, etc., while voluntarily carrying dispatches.

Report of 2284 dated February 14, 1867; also Col. Wessel's report same date.

Gen Order 26, May 25, 1867, Department Platte, Gen. Augur.

Reward of \$100 recommended—no funds; medal honor applied for April 12, 1871.

Approved C. C. Augur, brigadier general, April 24, 1871.

One medal issued May 6, 1871.

2284. Grant, George.

Case No. 2492 (5931). New Mexico, August 19, 1881. Saved the lives of his comrades and citizens of the detachment.

April 10, 1894, Capt. C. W. Taylor recommends medal, inclosing Capt. Byron Dawson's report of April 6, 1894.

Affidavit John Denny, June 4, 1894.

Affidavit Henry Trout, June 24, 1894.

Sixth indorsement, full list noted.

June 25, 1894, Col. J. Biddle, regimental commander Ninth Cavalry, believes worthy.

July 12, 1894, Assistant Secretary Doe awards.

One medal issued July 12, 1894.

2492. Woods, Brent.

Case No. 2315 (50115). Clear Water, Idaho, July 11, 1877. Voluntarily and successfully conducted in face withering fire party which recovered possession howitzer and two Gatling guns a few yards from the Indians.

January 31, 1897, Lieut. Col. M. P. Miller, First Artillery, recommends for medal.

J. P. Sanger, inspector general, February 22, 1897, transmits copies of two of Miller's reports; one February 22, 1890, the other March 10, 1890.

Assistant Secretary of War Doe awards March 2, 1897.

One medal issued March 2, 1897.

2315. Humphrey, Charles F.

Case No. 2304 (63490). Near Fort Hartsuff, Nebr., April 28, 1876. Voluntarily and with most conspicuous gallantry charged with three men upon six Indians intrenched upon a hillside.

October 7, 1897, incloses papers requesting medal if merited.

Report W. C. Manning, first lieutenant, Twenty-third Infantry, April 30, 1876.

Affidavit Conrad Wentworth October 2, 1896, and Jephtha Lytton October 14, 1896.

May 6, 1876, General Order 19 (Gen. Crook) commendatory.
 Adjutant General's record, October 12, 1897.
 Referred to medal of honor board, but no record of action.
 Secretary of War Alger awards October 14, 1897.
 One medal issued October 26, 1897.

2304. Heyl, Charles H.

Case No. 2292 (56268). Near camp on White River, Colo., October 20, 1879, with reconnoitering party three men, attacked by 35 Indians, exposed himself to draw fire of enemy, giving small party opportunity to reply with much effect.

May 24, 1897, Gen. Merritt recommends for medal, inclosing affidavit of John Sullivan (only survivor of party), dated March 16, 1897.

Statement June 10, 1897, of 2292.

Extract official records Fifth Cavalry October 7, 1879, also extract report Col. Merritt, Fifth Cavalry.

September 9, 1897, Secretary of War Alger awards.

One medal issued September 18, 1897.

2292. Hall, William P.

Case No. 2444 (2036). Near Camp Hualpai, Ariz., 1872. Gallantry on scouts after Indians.

May 6, 1872, J. W. Mason makes report of scout; May 7, 1872, additional report.

May 23, 1872, return of party reported.

General Order 21 (Gen. Crook), May 30, 1872, compliments and thanks for service.

One medal issued July 30, 1872.

2444. Stauffer, Rudolph.

Case No. 2442 (720 S 70). Kickapoo Springs, Tex., May 20, 1870. Gallantry on scout after Indians.

May 26, 1870, 2442 makes report of scout.

Henry Carroll, captain, Ninth Cavalry, notes gallantry displayed in indorsement June 1, 1870.

June 14, 1870, J. J. Reynolds, major general, notes captures; forwarded by Gen. H. W. Halleck June 27, 1870.

June 28, 1870, approved by W. T. Sherman, and medal awarded.

One medal issued June 28, 1870.

2442. Stance, Emanuel.

Case No. 2356 (3474). Near Fort Griffin, Tex., August 5, 1872. Gallantry in defeating Indians who attacked mail.

General Order 17 (Brig. Gen. Augur), Aug. 20, 1872, commends gallantry displayed by 2356.

August 31, 1872, Adj. Gen. Townsend notes "give medal honor."

One medal issued August 31, 1872.

2356. McDonald, Franklin H.

Case No. 2318 (19287). Camas Meadows, Idaho, August 20, 1877. Dismounted in face heavy fire pursuing Indians; with assistance one or two men, secured and carried to place of safety body of trumpeter, who had been shot and killed.

C. C. Carr, major, Eighth Cavalry, April 30, 1895, recommends 2318 for medal; eyewitness.

Denied June 5, 1895, by Acting Secretary of War Doe for lack of stronger evidence after lapse of 18 years.

Maj. Carr furnished corroborative testimony of Gen. O. O. Howard and Col. E. C. March, October 3, 1895, and Mason, September 18, 1895; Col. Mason was eyewitness and states that it was true in every particular.

April 17, 1896, Acting Secretary of War Doe awards on additional evidence.

One medal issued April 17, 1896.

2318. Jackson, James.

Case No. 2486 (2029). Colorado Valley, Tex., March 28, 1872. Gallantry in pursuit of band of cattle thieves from New Mexico.

March 30, 1872, J. P. Hatch incloses report of scout of 2486 and commends.

April 26, 1872, Gen. Sheridan forwards.

May 14, 1872, returned to Gen. Augur for more definite report.

May 31, 1872, Special Order 102 inclosed.

May 29, 1872, applicant submits report.

General Order 6, April 6, 1872, mentions creditable scout under 2486 (issued by Augur).

April 25, 1872, Secretary of War awards.

One medal issued April 27, 1872.

2486. Wilson, William.

Case No. 2470 (252-75). Muchague Valley, Tex., December 8, 1874. Gallantry in combat with five Indians.

January 7, 1875, Col. McKenzie, Fourth Cavalry, makes report of scout, mentions 2470 for some reward for gallant conduct; incloses itinerary of 2470; forwarded January 8, 1875; W. T. Sherman forwards to Secretary of War January 16, 1875; no recommendation.

March 27, 1875, Secretary of War directs award.

One medal issued April 12, 1875.

2470. Warrington, Lewis.

Case No. 1004 (395039). Powder River Expedition, Dakota Territory, September 12-17, 1865. Carried message through country infested hostile Indians; saved life of comrade en route.

July 6, 1894, Congressman Charles Curtis forwarded application for medal.

Letter 1004, August 4, 1894.

Certificate Ansel Steck, Company D, Twelfth Missouri Volunteer Cavalry.

July 20, 1894, certificate Capt. Palmer.

August 4, 1894, Adjutant General's record shows this man to have belonged to organization.

Services of Capt. Palmer and Ansel Steck verified.

Col. Nelson Cole, Second Missouri Light Artillery, reports arrival courier party of two soldiers and two Pawnee Indians September 13, 1865; no names mentioned.

August 18, 1894, Acting Secretary of War Doe awards.

One medal issued August 24, 1894.

1004. Thomas, Charles L.

Case No. 2236 (178520). On Brazos River, Tex., October 10, 1871. Held left of line with few men during charge of large body Indians after right had retreated and by delivering rapid fire succeeded in checking enemy until troops came to rescue.

December 14, 1898, applicant submits affidavit.

March 24, 1890, Capt. W. A. Thompson, Fourth Cavalry, substantiates details.

Capt. P. M. Boehm in affidavit December 13, 1898, recommends 2236.

May 5, 1890, certificate of R. Choate, assistant surgeon.

April 4, 1890, statement Lieut. H. W. Lawton, who was not present at fight, but was with expedition.

January 23, 1900, Secretary of War Meiklejohn awards.

One medal issued February 27, 1900.

2236. Carter, Robert G.

Case No. 2246 (2844 C 87). Santa Cruz Mountains, Mexico, May 15, 1886. Conspicuous gallantry during an attack on hostile Apache Indian camp; seriously wounded.

March 1, 1887, D Troop, Fourth Cavalry, Comdr. Chas. A. P. Hatfield recommends for conspicuous gallantry during attack on hostile Apaches.

Capt. Wirt Davis, March 1, 1887; Gen. Miles, March 4; Gen. Howard, March 7; Gen. Sheridan, March 31, 1887; all approve and recommend.

One medal issued April 27, 1887.

2246. Craig, Samuel H.

Case No. 2344 (3850-91). Wounded Knee Creek, S. Dak., December 29, 1890. Bravery, especially after having been severely wounded through lung.

March 15, 1891, I Troop Commander Seventh Cavalry Capt. H. J. Nowlan recommends medal; approved March 15, 1891, by Adj. McCormick for regimental commander, and March 17, 1891, by Gen. Merritt.

On Gen. Schofield's approval March 27, 1891, Acting Secretary Grant awards.

One medal issued April 16, 1891.

2344. Loyd, George.

Case No. 1013 (29531 B EB). Big Hole, Mont., August 9, 1877. After being severely wounded in right shoulder continued duty in most courageous manner.

Second Lieut. F. Woodbridge, Seventh Infantry, recommends certificate for 1013; approved by F. H. L. Kendrick, Seventh Infantry, company commander; Col. John Gibbon, regimental commander, approved February 15, 1878; March 4, approved by Gen. Terry; March 6, 1878, recommended by Sheridan.

April 12, 1878, medal awarded in lieu of certificate.

One medal issued May 8, 1878.

1013. Brown, Lorenzo D.

Case No. 2224 (81987-98). On Powder River, Wyo., March 17, 1876. With detachment cavalry charged on village hostile Indians; fought through engagement; horse killed under him; continued fight on foot; under severe fire conveyed two wounded comrades to place of safety. (This man hospital steward.)

Affidavit 2224, June 7, 1898; heartily indorsed by Gen. T. H. Stanton, May 25, 1898.

May 20, 1899, Col. E. H. Noyes, Second Cavalry, in command, views case not deserving.

June 3, 1899, Maj. Munn, surgeon, favors claim for distinguished gallantry.

June 12, 1899, The Adjutant General notes award to be made.

Melklejohn, Secretary of War, June 15, 1899, awards.

One medal issued July 23, 1900.

2224. Bryan, William C.

Case No. 2225 (252269). Leach Lake, Minn., October 5, 1898. Bravery in action against hostile Indians.

July 3, 1899, Senator K. Nelson asks medal for 2225, inclosing letter and extract of Gen. Bacon's report dated October 24, 1898, recommending medal.

July 18, 1899, Surg. Gen. Sternberg recommends; concurred in by Maj. Gen. Corbin and approved July 27, 1899, by Melklejohn, Secretary of War.

One medal issued August 21, 1899.

2225. Burkard, Oscar.

Case No. 2240 (20181-91). Wounded Knee Creek, S. Dak., December 29, 1890. Twice rescued wounded comrades under fire.

October 27, 1891, Col. E. M. Heyl submits report of Lieut. Hawthorne, citing gallantry.

December 25, 1891, Capt. Capron recommends medal; concurred in by Col. Crofton and Gen. Miles, and Secretary of War Grant awards January 15, 1892.

One medal issued January 23, 1892. (This man musician, Company E, First United States Artillery.)

2240. Clancy, John.

Case No. 2222 (115 A EB 80). Simon Valley, Ariz., December 14, 1877. Engaged single handed two renegade Indians until horse shot under him; then pursued them as long as he was able.

December 31, 1877, Lieut. Rucker, Sixth Cavalry, recommends for certificate of merit; approved and recommended by departmental and divisional commanders.

Discharged for disability May 5, 1878.

W. T. Sherman, in lieu of certificate, recommends medal.

One medal issued January 9, 1880.

2222. Brogan, James.

Case No. 2269 (8380). Powder River, Wyo., November 25, 1876. Though dangerously wounded maintained ground with small party against superior force after commanding officer had been shot down, and rescued that officer and a comrade from enemy.

Lieut. Dorst, May 10, 1891, K Troop, Fourth Cavalry, commander, recommends, and Lieut. Col. H. W. Lawton corroborates details and urgently recommends June 25, 1891.

November 30, 1876, report of Second Lieut. H. G. Otis, Fourth Cavalry, inclosed.

Gen. McKenzie, December 10, 1879, mentions distinguished gallantry.

Acting Secretary of War on Schofield's approval awards medal July 3, 1891.
One medal issued July 14, 1891.
2269. Forsyth, Thomas H.

Case No. 2231 (35445). Little Big Horn, Mont., June 25 and 26, 1876. Volunteered and succeeded in obtaining water for wounded; displayed conspicuously good conduct in assisting to drive away Indians.

April 7, 1896, Congressman B. L. Fairchild applies for medal.

Indorsement on discharge states "behaved so well that he was recommended for a medal"; further evidence requested.

Furnished September 18, 1896, one certificate and two affidavits: Capt. T. M. McDougall, Corpl. Thomas Carmody, and Pvt. John James.

October 24, 1896 Assistant Secretary Doe awards.

One medal issued October 24, 1896.

2231. Callan, Thomas J.

Case No. 2428 (6002 B EB). Rosebud River, Mont., June 17, 1876. Gallantry in action.

October 24, 1878, Foster, commanding I Troop, recommends this man for distinguished gallantry in action.

Capt. Andrews recommends specifically to consideration of general commanding.

April 11, 1880, A. B. King recommends for medal; approved by Col. Brackett; Gen. Crook, assistant adjutant in absence of lieutenant general commanding; approved by Gen. Sherman May, 1880.

One medal issued June 1, 1880.

2428. Shingle, John H. (John Henry).

Case No. 2210 (49817-97). Spring Creek, Nebr., May 16, 1869. While serving with scouting column troop attacked by vastly superior force Indians; advanced to high ground, dismounted men and fought until relieved.

Extract report, May 22, 1869, Maj. E. A. Carr; affidavits W. F. Cody and J. B. Stevens, acting first sergeant.

February 3, 1897, recommended to Secretary of War by Ruggles.

February 12, 1897, Gen. Merritt states 2210 rightly entitled to medal; Secretary of War awards September 9, 1897.

One medal issued September 18, 1897.

2210. Babcock, John B.

Case No. 2279 (41800). Mizpah Creek, Mont., April 10, 1879; Pumpkin Creek, Mont., February 10, 1880. While in charge of small scouting parties fought, charged, surrounded, and captured war parties of Sioux Indians.

Gen. Miles reports February 10, 1880.

Adjutant General's record engagement Indians, March 25, 1879.

August 7, 1896, recommended by Gen. Miles.

August 27, 1896, Acting Secretary Doe denies.

November 11, 1897, Secretary of War Alger awards.

One medal issued November 20, 1897.

2279. Glover, Thomas B.

Case No. 2221 (13995-95). O'Fallons Creek, Mont., April 1, 1880. Fearless exposure and dashing bravery in cutting off Indians' pony herd, thereby greatly crippling the hostiles.

January 19, 1895, Capt. E. L. Huggins, Second Cavalry, recommends medal of honor; brief Adjutant General record.

On Gen. Miles's recommendation, January 21, 1895, Assistant Secretary Doe awards February 7, 1895.

One medal issued February 7, 1895.

2221. Brett, Lloyd M.

Case No. 2217 (2426 A-81). Mimbres Mountains, N. Mex., May 29, 1879; Cuchillo Negro, N. Mex., September 27, 1879. Bravery in action.

Request for certificate merit January 16, 1881, approved.

Fifteenth indorsement certificate merit not applicable to all enlisted men; medal honor suggested.

Recommended and approved by R. C. Drum and W. T. Sherman, December 13, 1881, and medal awarded January 6, 1882.

One medal awarded January 6, 1882.

2217. Boyne, Thomas.

Case No. 2287 (32377). The Lava Beds, Calif., January 17, 1873. In advance upon Indians concealed, seeing some of his men hesitate, at great risk to himself, fearlessly walked in front of the line, reassuring command, which then advanced upon hidden foe.

Application 2287 for medal with inclosures as follows: Extract report Col. A. C. Gillem, June 1, 1874; extract report February 7, 1873, Lieut. Col. F. Wheaton, Twenty-first Infantry; also letters Brig. Gen. Wheaton, January 10, 1894; report October 29, 1897, G. H. Burton.

November 4, 1897, Secretary of War Alger awards.

One medal issued November 18, 1897.

2287. Green, John.

Case No. 2426 (14159). Carlizo Canyon, N. Mex., August 12, 1881. Forced enemy back and prevented them from surrounding command.

Certificate of merit disapproved and on November 18, 1890, K Troop, Ninth Cavalry, Commander Charles Parker recommends medal of honor; approved by regimental commander, and on approval, November 21, 1890, by Gen. Schofield, Grant awards medal.

One medal issued December 7, 1890.

2426. Shaw, Thomas.

Case No. 2213 (72 A82). Fort Apache, Ariz., September 11, 1881. Bravery in action.

November 7, 1881, E. A. Carr recommended for gallantry in action; approved by W. T. Sherman November 8, 1882, and awarded November 8, 1882.

One medal issued November 8, 1882.

2213. Barnes, William C.

Case No. 2338 (7179 a 80). Milk River, Colo., September 29, 1879. Coolness and steadiness under fire; volunteered to accompany small detachment on very dangerous mission.

March 17, 1880, Capt. Payne, Fifth Cavalry, recommends 2338 and 2369 for medal, in addition to previous recommendations; Gen. Merritt forwards; Gen. Crook recommends March 27, 1880; Assistant Adjutant General, in absence of Lieut. Gen. Commanding, Gen. Merritt says: "Both these men are known to me as men of most excellent character," April 17, 1880.

Secretary of War awards; six medals in all were issued for this expedition, approved by Gen. Sherman.

Two medals issued June 7, 1880.

2338. Lawton, John S.

2369. Merrill, John.

Case No. 2381 (4332 B EB). Milk River, Colo., September 29, 1879. Gallantry in action.

Second Lieut. J. B. S. Paddock, Fifth Cavalry, recommends for medal, action with Utes on Milk River, Colo.; March 18, 1880, Merritt approves; Crook recommends; in absence of Lieutenant General Commanding, Adjutant General forwards approval.

One medal issued April 23, 1880.

2381. Murphy, Edward F.

Cases No. 2480, 2420 (35436). Horseshoe Canyon, N. Mex., April 23, 1882. Assisted under heavy fire to rescue wounded comrade.

July 3, 1896, 2420 writes Adjutant General with reference to rescue of Pvt. Leonard, who was wounded.

2480 recommended by Gen. Miles for brevet May 28, 1890.

Letter April 24, 1896, Gen. Miles recommends medal honor for 2480, which was not received by Secretary of War until May 4, 1896.

2420 mentioned as assisting in rescue.

Two medals issued August 17, 1896.

2480. Wilder, Wilber E.

2420. Schnitzer, John.

Case No. 2253 (3382). Las Animas Canyon, N. Mex., September 18, 1879. Advanced alone into enemy's lines, carried off wounded soldier under hot fire after he had been ordered to retreat.

February 15, 1890, applicant requests medal; incloses statement of H. H. Wright of his services.

Award recommended by Maj. Guy V. Henry, Maj. Randlett, Ninth Cavalry, post commander and commanding general, Division of Missouri.

March 3, 1890, Gen. Crook recommends, also Gen. Schofield.

Secretary of War Proctor concurs and awards April 26, 1890.

One medal issued May 7, 1890.

2253, Day, Matthias W.

Case No. 2257 (68195). Near White River Agency, Colo., September 29, 1879. With force 40 men rode all night to relief of command defeated and besieged by overwhelming force Indians; reached field daylight, joined in action, and fought three days.

Adjutant General furnishes military record.

January 7, 1898, Z. B. Bliss incloses military record of 2257.

General Order 17, Department of Missouri, October 10, 1879.

Gen. Crook's letter October 8, 1879.

December 27, 1897, Gen. Merritt recommends, stating he "feels sure that this recommendation and that of Gen. Crook, procured at the time, will secure for him the well-deserved honor."

Application approved by Secretary of War Alger March 22, 1898.

One medal issued April 2, 1898.

2257. Dodge, Francis S.

Case No. 2397 (6141). Mill Creek, Colo., September 29, 1879. With 9 others voluntarily attacked and captured strong position held by Indians.

September 9, 1894, 2397 wishes information whether or not entitled to medal or certificate merit; approved by Capt. E. D. Thomas, Fifth Cavalry; J. B. E. Paddock, in indorsement, September 24, gives incident.

October 4, 1894, Capt. J. S. Payne, narrates occurrence.

November 1, 1894, Col. Wade approves; Frank Wheaton, brigadier general, concurs in recommendation of Lieut. Paddock and Col. Wade.

December 7, 1894, case is recommended to Secretary of War by Adjutant General; award December 12, 1894.

One medal issued December 12, 1894.

2397. Phillipson, Wilhelm O.

Case No. 2237 (14574-91). Cibicu, Ariz., August 30, 1881. Rescued, with voluntary assistance of two soldiers, the wounded from under heavy fire.

August 24, 1891, Col. E. A. Carr recommends for medal honor, also 2303 (below); August 29, 1891, Gen. Wilcox approves.

Adjutant General states that 2237 is entitled to medal honor and Secretary of War awards as recommended.

One medal issued September 17, 1891.

2237. Carter, William H.

Case No. 2303 (6104 B (EB)). Cibicu, Ariz., August 30, 1881. Bravery in action.

June 11, 1888, applicant requests information as to disposition of recommendation for medal made August, 1881; letter forwarded to division headquarters October 22, 1881; no further action taken.

Indorsement shows medal awarded July 9, 1888.

Mentioned in case No. 2237 (above).

One medal issued July 20, 1888.

2303. Heartery, Richard.

Case No. 2216 (3792). Cibicu Creek, Ariz., August 30, 1881. Conspicuous and extraordinary bravery in attacking mutinous scouts.

March 29, 1882, W. H. Carter, first lieutenant, Sixth Cavalry, recommends 2216 for medal.

March 29, 1882, E. A. Carr recommends; April 24, 1882, O. B. Wilcox, major general commanding Department of Arizona, approves; forwarded by McDowell, major general.

May 25, 1882, forwarded by Adjutant General; disapproved, pending investigation, by Gen. Sherman, May 26, 1882.

November 4, 1882, Gen. Sherman approves medal for this man.

One medal issued November 4, 1882.

2216. Bowman, Alonzo.

Case No. 2341, 2398 (4141). Muddy Creek, Mont., May 7, 1877. Bravery in action; gallantry in action.

July 4, 1877. Col. N. A. Miles, Fifth Infantry, specifically recommends these two men for medal, action against hostile Sioux Indians May 8, 1877; approved August 1, 1877.

Two medals issued August 8, 1877.

2341. Leonard, William.

2398. Phillips, Samuel D.

Case No. 2376 (33917). Big Dry Fork, Ariz., July 17, 1882. Gallantly held ground at critical moment; fired upon advancing enemy (hostile Indians) until himself disabled by shot.

March 6, 1892, report of Capt. F. West recommends 2376 for medal honor.

Name not mentioned in report of expedition by Maj. Evans.

This case contains the brief of four cases, namely: 2376, 2453, 2477, and 2249.

One medal issued July 15, 1892.

2376. Morgan, George H.

Case No. 2249 (22852). Big Dry Fork, Ariz., July 17, 1882. Gallantly charged hostile Indians; compelled them to keep under cover, thus recovering severely wounded comrade.

January 5, 1892, Lieut. Col. A. W. Evans recommends this man for medal honor; concurred in by report of engagement of February 2, 1892, by Frank West, commanding Troop C, Sixth Cavalry.

Report Capt. Cramer, commanding Troop E, Sixth Cavalry, January 12, 1892.

Report Col. Carr, August 29, 1880, particularly mentions 2249; Col. Carr incloses affidavits of Sergt. Martin and Corpl. Horan, Troop E, Sixth Cavalry.

Gen. Schofield desires separate reports in cases 2249, 2477, and 2376.

One medal issued July 12, 1892.

2249. Cruse, Thomas.

Case No. 2477 (33918). Big Dry Wash, Ariz., July 17, 1882. Rallied command and led it in the advance against enemy's fortified position.

Col. Carr recommends 2477 for medal of honor for distinguished and gallant service against hostile Apaches.

Approved, Schofield, July 1, 1892.

Secretary of War Elkins, on above approval, awards.

One medal issued July 12, 1892.

2477. West, Frank.

Case No. 2453 (10002 C (EB) 82). Big Dry Wash, Ariz., July 17, 1882. Gallantry in action.

September 10, 1882, Capt. A. D. King, Third Cavalry, D Troop commander, specifically recommends; indorsed, recommended by Capt. Abbott, K Troop, Third Cavalry, September 13, 1882, and by Second Lieut. F. O. Johnson; approved September 27, 1882, by Lieut. Col. W. B. Royall.

Crook, Schofield, and Sherman approve and recommend.

One medal issued December 16, 1882.

2453. Taylor, Charles.

Case No. 2227 (55500097) (5723 ACP 84). Cuchillo, Negro Mountains, N. Mex., August 16, 1881. Saved life dismounted soldier by galloping quickly to his assistance, under heavy fire, escorting him to place of safety; horse twice shot in this action.

Mentioned in Orders 28, December 3, 1881, Department of Missouri, which is supplemental to General Order 24, same department.

Recommended by First Lieut. G. Valois November 7, 1881.

March 23, 1897, affidavit of Valois, and extracts of report of engagement with hostile Indians, Division of the Missouri.

Affidavit Moses Williams, February 17, 1897, and Augustus Walley, March 10, 1897.

July 28, 1881, Col. Edw. Hatch, Ninth Cavalry, states 2227 behaved with gallantry in the action.

Brief of application of 2227.

One medal issued July 23, 1897.

2227. Burnett, George R.

Case No. 2482 (41940). Foot Hills Cuchillo, Negro Mountains, N. Mex., August 16, 1881. Rallied detachment; conducted running fight four hours; stood by commanding officer in exposed position; saved lives of at least three comrades.

Applies, July 29, 1896, for medal honor; incloses letter of Lieut. Burnett. Capt. Taylor, commanding troop October 4, 1896, believes the man is entitled to medal.

November 12, 1896. Assistant Secretary Doe awards medal.

One medal issued November 12, 1896.

2482. Williams, Moses.

Case No. 2467 (12608). Cuchillo, Negro Mountains, N. Mex., August 16, 1881. Bravery in action with hostile Indians.

June 4, 1890, 2467 applies for medal honor; mentions no particular act.

Adjutant General's record September 16, 1890, no mention of enlisted men.

Letter troop commander, Lieut. Burnett, bears testimony to bravery; approved and recommended by regimental commander.

Schofield, September 17, 1890, recommends medal, which is granted by Grant.

One medal issued October 1, 1890.

2467. Walley, Augustus.

Case No. 2321 (5993). Milk River, Colo., October 2-5, 1879. Voluntarily left shelter and under heavy fire at close range made rounds of pits to instruct guard; fought way to creek to bring water to wounded.

March 23, 1890, writes Gen. Dodge, paymaster, for medal honor; referred to Capt. Hughes, Ninth Cavalry, by Charles Parker, commanding Ninth Cavalry, commending, states 2321 "seems worthy"; Hughes returns stating he remembers that 2321 rendered conspicuous service; returned by Maj. Dodge to 2321, stating that remarks of Capt. Parker and Hughes are concurred in; forwarded by Capt. Parker to Adjutant General United States Army; Col. Kilford, commanding Ninth Cavalry, forwards recommending application be granted.

April 25, 1890, Brooke forwards, no recommendation to make, submits to major general commanding, who requests official report of engagement.

May 9, 1890, Schofield states case seems to rest upon statement of applicant and calls for additional evidence.

August 26, 1890, applicant submits own affidavit corroborated by two comrades, to the effect that while sergeant of the guard he went from his rifle pit while under fire to give instructions to members of the guard; this additional evidence makes no reference to the alleged act of bravery in going after water, etc., for which medal is claimed.

September 1, 1890, Schofield returns to Secretary of War, stating that "evidence in this case seems to me to justify the granting of a medal of honor to this soldier."

September 18, 1890, Grant awards medal on recommendation of Schofield.

Medal issued September 22, 1890.

2321. Johnson, Henry.

Case No. 2353 (52466). White Bird Canyon, Idaho, June 17, 1877. Detailed with six men to hold commanding position; held it with great gallantry until troops fell back. Fought way through Indians, rejoined portion of command and continued to fight in retreat. Two horses shot from under him; was captured; escaped and reported for duty three days after.

April 24, 1897, Capt. J. C. Trimble, retired, recommends 2353 for medal of honor; had been recommended for certificate merit, but as the law then stood, it could be granted to privates only.

Indorsement, July 7, 1897, Capt. W. H. Parnell concurs in Trimble's indorsement and recommends for medal.

Secretary Alger, November 5, 1897, awards medal.

One medal issued November 20, 1897.

2353. McCarthy, Michael.

Case No. 1811 (493069). Benton, Ark., July 25, 1864. Pursued and killed Confederate Brig. Gen. George M. Holt, Arkansas Militia, capturing his arms and horse.

Extract from report of Maj. Gen. Steele, commanding Department of Arkansas, August 15, 1864 * * * "25th, a scouting party from the Third Missouri Cavalry * * * charging into town, 1811 pursued and killed, etc." * * *

One medal issued December, 1864.

1811. Lucas, George W.

Case No. 2501 (12284 B EB 78). Plum Creek, Kans., March, 1868. While in charge powder train from Fort Harker to Fort Dodge, attacked by party desperadoes who attempted to rescue deserter and fire train; single handed repelled attack, wounding two and brought train through safe.

Special Orders, No. 39, Headquarters Fort Dodge, March 13, 1868, Maj. H. Douglas states specific act in detail.

Application August 16, 1878; indorsed August 16, 1878, by Capt. Hobart, commanding company, stating 2501 participated in 27 engagements with the Army of the Potomac; approved by Brooke, lieutenant colonel; John Gibbon, colonel Seventh Infantry, and Sheridan, lieutenant general, commanding.

One medal issued October 19, 1878.

2501. Fegan, James.

Cases Nos. 2500, 2504 (1181). Arizona, May 11, 1889. 2500. Fight between paymaster's escort and robbers; shot in abdomen; did not leave field until again wounded through both arms. 2504. Gallantry in fight paymaster's escort and robbers.

Paymaster Wham, September 1, 1889, in report recommends medal for two. Forwarded, approved by Col. Z. R. Bliss, Twenty-fourth Infantry, November 9, 1889.

January 21, 1890, approved by telegraph, department and division commanders.

Robert H. Hall, lieutenant colonel Sixth Infantry, inspector general, May 17, 1889, submits adverse report.

Clippings Chicago Inter-Ocean, February 24, 1890.

General Orders 18, Adjutant General's Office, February 24, 1890, mentions two.

February 1, 1890, Secretary of War approves recommendations of regimental commanders Twenty-fourth Infantry, Tenth Infantry, and department and divisional commanders.

Two medals issued February 19, 1890.

2500. Brown, Benjamin.

2504. Mays, Isalah.

Case No. 2358 (2826). Rosebud River, Mont., June 17, 1876. Gallantry in action.

Lieut. V. Reynolds, Third Cavalry, June 10, 1880, recommends 2358 for distinguished gallantry; approved by Col. Brooke, Gen. Crook, and Gen. Sheridan.

One medal issued August 9, 1880.

2358. McGann, Michael A.

Case No. 2409 (2644 B (EB) 78). Rosebud River, Mont., June 17, 1876. Discharged duties in charge of skirmish line under fire with judgment and coolness and brought up led horses at critical moment.

Capt. Guy V. Henry recommends, February 18, 1878, for certificate merit; approved by Lieut. Col. Bradley; Maj. Mason, Third Cavalry; Gen. Crook and R. C. Drum for lieutenant general commanding.

This man was first sergeant and it was considered that privates only were eligible for certificates of merit, so medal was awarded February 18, 1880.

One medal issued January 23, 1890.

2409. Robinson, Joseph.

Case No. 2395 (3310). White Bird Canyon, Idaho, June 17, 1877. With few men, in face of heavy fire from Indians, at imminent peril, returned and rescued soldier whose horse had been killed and who had been left behind in retreat.

February 19, 1894, applicant refers to military record.

May 24, 1897, requests information in regard to application made in 1894.

Affidavit of Aman Hartman, Troop H, First Cavalry.

Indorsement of Col. David Perry, Ninth Cavalry.

September 8, 1897, Secretary of War Alger awards medal.

One medal issued September 16, 1897.

2395. Parnell, William R.

Case No. 2255 (7598). Las Animas Canyon, N. Mex., September 18, 1879. Removed wounded comrade to place of safety under heavy fire.

Taylor, captain, Ninth Cavalry, recommends 2255 for medal of honor; incloses two affidavits and one certificate.

Secretary of War awards medal November 27, 1894.

One medal issued November 27, 1894.

2255. Denny, John.

Case No. 2342 (2277 A). Bluff Station, Wyo., January 20 and 22, 1877. Bravery in skirmish.

J. B. Johnson, commander B. Troop, Third Cavalry, February 7, 1879, recommends this man be given a medal of honor; approved and recommended by Maj. Evans; recommended by Gen. Crook; Sheridan forwards February 21, 1879.

Gen. Sherman approves issue of medal March 28, 1879.

One medal issued March 28, 1879.

2342. Lewis, William B.

Case No. 2112 (528611). Gilman's Ranch, Nebr., May 12, 1865. Gallantry in defending Government property against Indians.

General Orders No. 10, of May 29, 1865, District of the Plains, Colo., specifically recommends to Secretary of War for medal of honor.

Letter of Brig. Gen. P. G. Connor, June 8, 1865, requests medal for this man.

Maj. Gen. G. N. Dodge forwards, recommending approval.

One medal issued July 24, 1865.

2112. Lohnes, Francis W.

Case Nos. 2343, 2458 (16040). Bear Paw Mountain, Mont., September 30, 1877.

Directed to order troop to advance; both officers killed; voluntarily assumed command; under heavy fire from Indians, advanced troop to position.

December 27, 1877, report operations against Nez Percés, battle of Bear Paw Mountain, Mont., September 20, 1877, by Col. Miles, Fifth Cavalry, brevet major general, United States Army; this man specifically recommended by Col. Nelson A. Miles, also in further report dated August 28, 1890.

March 22, 1895, Doe, Assistant Secretary, awards medal to 2343 and similar individual action on 2458.

Two medals issued March 22, 1895.

2343. Long, Oscar F.

2458. Tilton, Henry R. Fearlessly risked life and displayed great gallantry in rescuing and protecting the wounded men.

Case No. 2324 (4695). Fort Tulerse, N. Mex., May 14, 1880. While commanding detachment of 25 men, repulsed force of more than 100 Indians. Carrizo Canyon, N. Mex., August 12, 1881. While commanding right of detachment, 19 men, held ground, exposed position, gallantry; forced back superior number, preventing surround of command.

March 14, 1890, Parker, captain commanding Troop K, recommends for medal; indorsed favorably by Guy V. Henry, commanding regiment; Brooke, no recommendation; Schofield forwards without recommendation. Copy of Parker's original letter April 6, 1886.

April 26, 1890, Secretary awards on recommendation of major general commanding.

One medal issued May 7, 1890.

2324. Jordan, George H.

Case No. 2334 (4693). White River, S. Dak., January 1, 1891. Led the advance in spirited movement to assistance of Troop K, Sixth Cavalry.

W. H. Carter, commander Troop F, Sixth Cavalry, recommends this man for medal of honor; approved by Maj. Tupper, battalion commander and regimental commander.

Recommended March 30 by Gen. Brooke, department commander, and on approval of Gen. Schofield, April 13, 1891; Grant awards medal of honor April 16, 1891, for distinguished bravery in action with Indians on Sioux Reservation January 1, 1891.

Mentioned in General Order 100, War Department, December 17, 1891.

One medal awarded May 1, 1891.

2334. Knight, Joseph F.

Cases Nos. 2386, 2431 (923). White River, S. Dak., January 1, 1891. With five men, repelled superior force of enemy; held position against repeated attempts to capture it.

Capt. J. B. Kerr, Troop K, commander Sixth Cavalry, recommends medals of honor for distinguished services in action with Indians January 1, 1891; approved by regimental and division commanders Brooke and Miles.

On approval Gen. Schofield, January 21, 1891, medals were awarded.

Map of route and sketch of battle ground.

Mentioned in General Order 100, War Department, December 17, 1891.

Two medals issued February 4, 1891.

2386. Myers, Fred.

2431. Smith, Cornelius C.

Case No. 1286 (260876). Fair Oaks, Va., May 31 and June 1, 1862. Gallantly maintained line of battle until ordered to fall back.

This man applies by letter November 30, 1890, stating he was cited in orders by Maj. Gen. Kearney, and requests information whether or not entitled to medal of honor.

Schofield, November 28, 1890, states that the award of medal should be based upon the exact official report of the gallant conduct for which it is given.

Submits private letter of S. B. Hayman dated December 22, 1890.

Adjutant General gives extract of Gen. Kearney's report dated May 31 and June 1, 1862; states 1286 was particularly distinguished for courage and activity.

December 26, 1890, letter of applicant asking if testimony is sufficient for the granting of medal.

Gen. Schofield recommends medal; Assistant Secretary approves recommendation and directs award.

One medal issued January 20, 1891.

1286. O'Beirne, James R.

Case No. 2488 (14875). Bravery, Sioux campaign 1890.

August 14, 1891, 2488 applied for medal, inclosing commendatory order of Maj. Henry, Ninth Cavalry, approved by troop commander; also by Capt. Loud, Ninth Cavalry, August 21, 1891; First Lieut. Powell, Ninth Cavalry, August 22, 1891; approved by James Biddle, also Gen. Brooke, August 21, 1891.

September 3, 1891, approved by commanding general, and medal awarded by Grant September 8, 1891.

Mentioned in General Order 100, War Department, December 17, 1891.

One medal issued September 17, 1891.

2486. Wilson, William O.

Case No. 2392 (3557). White Clay Creek, S. Dak., December 30, 1890. Bravery.

Nowlan, commander I Troop, Seventh Cavalry, recommends this man; approved by Col. Forsyth, March 6, and Gen. Merritt, March 9, 1891.

Adjutant General, for major general commanding, recommends medal.

One medal issued April 1, 1891.

2392. Nolan, Richard J.

Case No. 2405 (3804). White Clay Creek, S. Dak., December 30, 1890. Bravery.

March 11, 1891, L. R. Hare, commander Troop K, Seventh Cavalry, recommends this man.

Affidavit First Lieut. Jetter, Troop K, dated March 13, 1891.

Certificate by Hare March 13, 1891.

Application approved by Col. Forsyth; approved by Gen. Merritt March 16, 1891; approved by Schofield, and Acting Secretary of War awards medal March 30, 1891.

Mentioned in General Order 100, War Department, December 17, 1891.

One medal issued April 13, 1891.

2405. Ragnar, Theodore.

Case No. 2305 (3997). Wounded Knee Creek, S. Dak., December 29, 1890. Distinguished bravery.

March 17, 1891, Charles H. Varnum, Troop B, Seventh Cavalry, recommends specifically; approved by adjutant in absence of regimental commander; forwarded by Merritt, March 21, 1891.

Extract by Adjutant General gives military record both cases.

Department commander makes no remarks.

Both cases granted on recommendation of Gen. Schofield.

Mentioned in General Order 100, War Department, December 17, 1891.

Two medals issued April 16, 1891.

2305. Hillock, Marvin C.

2469. Ward, James.

Case No. 1005 (4703-91). White River, S. Dak., January 1, 1891. Distinguished services.

March 5, 1891, Tupper, major, Sixth Cavalry, recommends for medal of honor; indorsed March 6, 1891, by Morrow, lieutenant colonel, commanding regiment, approved and recommended to Col. Carr, who was in command of regiment at time of engagement; Carr, colonel, Sixth Cavalry, forwards approved; Brooke approves; Schofield forwards without recommendation April 3, 1891.

April 9, 1891, Schofield forwards, under second indorsement, recommending medal for distinguished bravery in action with hostile Indians on White River, January 1, 1891.

Grant awards on above recommendation.

Mentioned General Order 100, W. D., December 17, 1891.

One medal issued April 25, 1891.

1005. Kerr, John B.

Case No. 2312 (11005). White River, S. Dak., January 1, 1891. Bravery in action.

June 6, 1891, J. B. Kerr, captain, Sixth Cavalry, commanding Troop K, recommends medal; June 28, 1891, Tupper, major, Sixth Cavalry, commanding, for wards approved and recommended in absence of Col. Carr; Brooke forwards without recommendation; Miles, major general, commanding, recommends July 1, 1891.

Grant awards July 16, 1891.

Mentioned General Order 100, W. D., December 17, 1891.

One medal issued July 25, 1891.

2312. Howze, Robert L.

Case No. 2239 (4690 PRD 91). White River, S. Dak., January 1, 1891.

Headed advance across White River to effective assistance of Troop K, Sixth Cavalry.

March 5, 1891, Tupper, major, Sixth Cavalry, recommends for medal of honor; indorsed March 6, 1891, by Morrow, lieutenant colonel, commanding regiment, approved and recommended, recommended by Carr, colonel Sixth Cavalry; recommended by Brooke, brigadier general, commanding; recommended by Schofield, major general, commanding, April 3, 1891.

Mentioned General Order 100, W. D., December 17, 1891.

One medal issued April 25, 1891.

2239. Cheever, Benjamin H., jr.

Cases Nos. 2209, 2364 (7343, 7356-91). Wounded Knee Creek, S. Dak., December 29, 1890. While Indians were concealed in ravine, directed fire from skirmish line and assisted in effort to dislodge them.

April 17, 1891, recommended by H. D. Sickle, first lieutenant, Seventh Cavalry. May 4, 1891, troop commander earnestly recommends; approved May 5, 1891, by Forsyth; forwarded by Gen. Merritt; no recommendation.

April 18, 1891, letter of Second Lieut. Rice to Adjutant General.

General Order 100, W. D., December 17, 1891, gives specially meritorious acts of officers and enlisted men for the year 1890.

One medal issued June 27, 1891 (2209).

One medal issued June 23, 1891 (2364).

2209. Austin, William G.

2364. McMillan, Albert W.

Case No. 2505 (1014593). Williamsburg, Va., May 5, 1862. As aid-de-camp led charge with part of regiment, pierced enemy's center, silenced some artillery, got in rear, caused him to abandon position.

September 22, 1893, 2505 applies for medal of honor.

Adjutant General gives extract report of Gen. Carney on battle of Williamsburg, dated May, 1862, in which 2505 is commended for gallantry.

Decision of Adjutant General in regard to awarding of two medals.

This man had been awarded a medal of honor as colonel of Twenty-seventh New Jersey Infantry Volunteers.

One medal issued October 25, 1893.

2505. Mindil, George W.

Case No. 2462 (58757). White Clay Creek, S. Dak., December 30, 1890. Most distinguished gallantry in action.

July 6, 1897, J. C. Gresham, captain, Seventh Cavalry, forwards certificate.

Extract report February 14, 1891, Col. Forsyth.

Letter Lieut. Sedgwick Rice, Seventh Cavalry, July 26, 1897.

Secretary Alger, September 14, 1897, by direction of President, presents medal.

One medal issued September 22, 1897.

2462. Varnum, Charles A.

Case No. 2388 (4611). Sloux Campaign, December, 1890. Distinguished bravery.

Capt. Moylan, commanding Troop A. Seventh Cavalry, recommends for medal of honor; approved by adjutant in absence of regimental commander; approved by Gen. Merritt, March 31, and Gen. Schofield, April 7, 1891.

Mentioned General Order 100, War Department, December 17, 1891.

One medal issued April 25, 1891.

2388. Neder, Adam.

Case No. 2494 (7384 PRD). Wounded Knee Creek and White Clay Creek, S. Dak., December 29-30, 1890. Conspicuous bravery.

April 18, 1891, Second Lieut. Rice specifically recommends for medal of honor.

Troop commander earnestly recommends; approved by Col Forsythe; forwarded by Gen. Merritt; approved June 12, 1891, by Schofield.

Mentioned General Order 100, War Department, December 17, 1891.

One medal issued June 23, 1891.

2494. Ziegner, Hermann.

Case No. 2460 (3995). Wounded Knee Creek, S. Dak., December 29, 1890. Bravery.

March 18, 1891, Capt. Edgerly, Seventh Cavalry, specifically recommends this man for medal of honor; approved by adjutant Seventh Cavalry in absence of regimental commander.

April 18 1891, Capt. Edgerly, in indorsement, gives specific act.

May 5, 1891, Col. Forsythe approves; forwarded by Gen. Merritt; approved by Gen. Schofield May 12, 1891.

Mentioned General Order 100, War Department, December 17, 1891.

One medal issued May 26, 1891.

2460. Toy, Frederick E.

Case No. 963 (3466 PRD). Wounded Knee Creek, S. Dak., December 29 1890. Killed hostile Indian close quarters; entitled to retirement from service, remained until close of campaign.

Capt. H. J. Nolan specifically recommends this man for medal of honor; regimental commander approves recommendation; approved by Gen. Merritt February 28, 1891.

Mentioned General Order 100, War Department, December 17, 1891.

One medal issued March 27, 1891.

963. Trautman, Jacob.

Case No. 1428 (489641). Fredericksburg Heights, Va., May 4, 1863. Shot Confederate color bearer and seized flag; also, alone, approached a barn between the lines, and received surrender of number of enemy therein.

Extract from petition of citizens of Buffalo, September 15, 1870, asking for medal of honor for 1428. May 11, 1864, by 11 gentlemen.

September 19, 1870, Secretary War directs engraving of medal.

No mention made of exploits of this man in the records, but volume 21. page 1124, series 1, show medal was issued.

September 21, 1870, Adjutant General sends the mother of 1428 medal for son.

September 24, 1870, mother requests an officer's medal, as he was second lieutenant from June 16. 1863.

One medal issued September 21, 1870.

1428. McVean, John P.

Case No. 2265 (7400). Wounded Knee Creek, S. Dak., December 29, 1890. Extraordinary gallantry.

Capt. Ilsley, Seventh Cavalry, especially recommends this man for extraordinary gallantry at battle of Wounded Knee.

Approved by Col. Forsythe May 5, 1891; forwarded by Gen. Merritt.

Mentioned in General Order, War Department, December 17, 1891.

Approved by general commanding, June 12, 1891.

One medal issued June 23, 1891.

2265. Feaster, Moshelm.

Case No. 2320 (3985). Stouxx campaign, December, 1890. Distinguished bravery.

Commanding officer Trook K, Seventh Cavalry, L. R. Hare, specifically recommends this man.

Gen. Merritt recommends as a specially deserving case, March 21, 1891.

Gen. Schofield recommends, April 4, 1891.

Mentioned General Order 100. War Department, December 17, 1891.

One medal issued April 24, 1891.

2320. Jetter, Bernhard.

Case No. 2393 (864-P-69). Chiricahua Mountains, Ariz., October 20, 1869. Bravery in action, Indian campaign.

Papers (864-P-69) on which this man was awarded a medal of honor were filed with 841-P-69, all of which are missing from the files since April 19, 1895. Five medals issued February 14, 1870.

2393. Oliver, Francis.

2434. Smith, Theodore F.

2452. Sumner, James.

2368. Meaher, Nicholas.

2417. Russell, James.

Case No. 2319 (925-P-69). Chiricahua Mountains, Ariz., October 21, 1869. Gallantry in action. Indian campaign.

Two reports of Capt. R. F. Bernard, October 30, 1869.

Brig. Gen. T. C. Devon, lieutenant colonel, Eighth Cavalry, United States Army, commends officers and men.

General Order, November 20, 1869, recommends brevets, and enlisted men mentioned for medals of honor.

December 13, 1869, Secretary of War approves recommendation for medals but no brevets.

Twelve medals issued February 14, 1870.

2319. Jarvis, Frederick.

2437. Smith, William.

2276. Georglian, John.

2429. Smith, Andrew J.

2468. Ward, Charles H.

2450. Sullivan, Thomas.

2438. Smith, William H.

2401. Powers, Thomas.

2328. Kelley, Charles.

2456. Thompson, John.

2258. Donahue, John G.

2263. Elwood, Edwin.

Case No. 1964 (477573). Woodstock, Va., January 22, 1865. Rescued commanding officer who had been unhorsed and left behind. Amelia Courthouse, Va., April 5, 1865. Captured two battle flags.

M. V. Sheridan, A. A. G., June 5, 1897, recommends this man for medal of honor; cites services.

September 3, 1897, Rowand, jr., gives full account and makes affidavit as to facts stated in his letter.

October 22, 1897, supplemental letter of Rowand to Maj. George W. Davis, War Department.

April 1, 1897, Rowand to Horace Porter.

May 4, 1897, Adjutant General's letter gives extract from personal memoirs of Gen. Sheridan, in which he mentions 1964 and also Rowand.

October 30, 1897, Secretary of War Alger awards medal.

One medal issued October 30, 1897.

1964. Campbell, James A.

Case No. 2206 (13892). Brazos River, Tex., October 28, 1869. With two men attacked force 11 Indians, drove them from hills, and reconnoitered the country beyond.

John M. Bacon, lieutenant colonel, First Cavalry, August 2, 1893, recommends medal of honor for 2206; was eye witness to action.

Recommended by J. J. Reynolds December 17, 1869, for brevet.

Schofield, January 12, 1894, submits recommendation to Secretary of War for medal for distinguished gallantry on the Brazos River, Tex.

Extract official report of scout, October 14, 1869.

Copy autograph letter J. J. Reynolds, January 24, 1872.

Copy letter of Bacon, captain, Ninth Cavalry, December 16, 1869.

One medal issued January 18, 1894.

2206. Albee, George E.

Case No. 1685 (333669). Atlanta, Ga., July 22, 1864. Voluntarily scaled enemy's breastworks; signaled commanding officer to charge; in single combat captured colors Fifth Texas Regiment.

S. S. Burnett incloses papers to Adjutant General for medal for 1685.

Bradshaw, May 13, 1892, corporal Company B, Fifteenth Michigan, makes affidavit.

Adjutant General record inclosed.

Schofield, July 15, 1892, recommends medal.

Acting Secretary directs issue of medal of honor July 18, 1892.

One medal issued July 25, 1892.

1685. Sancrainte, Charles F.

Case No. 1334 (389883 and 445343). Fredericksburg, Va., December 13, 1862. Demanded and received surrender of Nineteenth Georgia and captured their battle flag.

August to December, 1895, 12 officers of the Second Pennsylvania request medal for 1334, who was captain of Company G, same regiment.

April 20, 1896, Assistant Secretary Doe commends service but awards no medal.

June 6, 1894, application returned requesting additional evidence of eyewitnesses.

Testimony six witnesses inclosed August 10, 22, and September 3, 1894.

April 20, 1896, notation to effect that services are most commendable, but do not entitle to medal of honor; 1334 was awarded medal of honor for gallantry and meritorious services at Fredericksburg, Va., December 13, 1862.

November 27, 1894, Acting Secretary Doe awards medal to this man for "most conspicuous gallantry at the Battle of Fredericksburg, Va., December 13, 1862, this officer voluntarily advancing between the lines to Archer's rifle pit, stopping the fire of his own men and the enemy and demanding and receiving the surrender of the Nineteenth Georgia and capturing their flag as the bearer attempted to escape up the heights."

One medal issued December 14, 1894.

1334. Woodward, Evan M.

Case No. 2506 (180 A. G. O. 65). No action and no data.

Three inclosures.

December 13, 1864, Secretary of War directs engraving of medal.

January 5, 1865, medal awarded and transmitted to Gen. Sheridan for 2506.

January 16, 1865, receipt of medal acknowledged by 2506.

One medal issued January 5, 1865.

2506. O'Connor, Timothy.

Case No. 1265 (349579). James Island, S. C., June 16, 1862. Left arm shot away, continued on duty, taking part in second and third charge, until exhausted from loss of blood.

November 5, 1892, applicant makes sworn statement regard to claim for medal in his possession.

1886, newspaper published list of recipients of medals, from which his name was omitted.

Records of War Department show nothing in reference to award of medal to this man.

November 26, 1892, Assistant Secretary personally considers case; held evidence sufficient to establish fact that this man received medal from Secretary of War in 1863 and notation in official records was made.

One medal issued 1863.

1265. Jackson, Frederick R.

Case No. 1278 (215381). Stone River, Tenn., December 30, 1862; Liberty Gap, Tenn., June 25, 1863. Captured colors Eighth Arkansas Infantry. One of scouting party who charged and routed mounted force of enemy six times their number, going far beyond call of duty.

May 21, 1890, applicant makes sworn statement and request for medal; incloses affidavit of Capt. Harlan, Company H, Twenty-first Illinois Volunteers.

June 5, 1890, Schofield recommends award.

One medal issued June 30, 1890.

1278. McKeen, Nineveh S.

Case No. 1304 (4546A 87). Bull Run, Va., August 30, 1862, recaptured colors. Gettysburg, Pa., July 2, 1863, captured Confederate color bearer and colors; severely wounded.

June 6, 1887, applies for medal.

Additional evidence requested.

June 9, 1887, Tweeddale, C. C., by order of Secretary of War, states it is impossible to obtain evidence of eyewitnesses; as 1304 has made oath and records show him to have been a good and faithful soldier, Secretary decides that exception shall be made to the general rule requiring evidence of two eyewitnesses, and directs issue of medal.

One medal issued July 2, 1887.

1304. Roosevelt, George W.

Case No. 146 (515788). Chancellorsville, Va., May 2, 1863. Volunteered on a dangerous service and brought in valuable information.

June 6, 1866, letter of applicant to Gen. Hooker.

June 13, 1866, Hooker forwards to Adjutant General for examination of records; believes circumstances to be as stated, and in case no records be found among headquarters papers forward to Adjutant General, approved and recommended.

Maj. Gen. Meade, June 25, 1866, states no record is found, but in view of Hookers' indorsement application is approved and recommended.

May 25, 1866, Capt. Tyler, Fifth Excelsior (Seventy-fourth New York), recommends 1467 for medal of honor for gallant conduct battle Chancellorsville.

Medal awarded June 27, 1866, by Secretary of War.

One medal issued June 29, 1866.

1467. Brannigan, Felix.

Case No. 2503 (495520). No action and no date.

Adjutant General's record shows this man to be on paper AAK 53469.

Receipt of medal by 2503 dated September 16, 1863.

One medal issued September 16, 1863.

2503. Johnston, Willie.

Case No. 2098 (100 B). No place of action given. 1863 to 1865. Gallantry in various actions during the Rebellion.

Copy of discharge of 2098 signed by Crofton, captain, Twenty-sixth Infantry. December 15, 1867, for appointment as superintendent National Cemetery at Cold Harbor, Va.

Indorsement, December 15, 1867, on discharge notes: "Distinguished for gallantry in action whenever engaged."

2098 applies for medal February 21, 1870.

February 28, 1870, E. D. T. indorses "Give him medal."

Medal sent to Cold Harbor May 16, 1870; receipt acknowledged May 21, 1870.

One medal issued February 28, 1870.

2098. Barry, Augustus.

Case No. 1510 (517484). Gettysburg, Pa., July 1, 1863. Unsurpassed courage in battle where he had both eyes shot out.

May 16, 1866, Southerland, surgeon, requests medal for 1510, who is blind from injuries received at Gettysburg.

Lieut. Col. Finnicun, September 1, 1864, gives certificate as to service.

Letters to Secretary of War, January 16, 1866, from 1510; April 25, 1866, certificate surgeon reference to wound; June 27, 1866, Secretary of War directs award.

One medal issued June 29, 1866.

1510. Coates, Jefferson.

Case No. 1814 (465119, 534539). Winchester, Va., September 19, 1864. With one companion captured 14 Confederates in the severest part of the battle.

Recommendation by Brigade Commander A. L. Molineux, One hundred and fifty-ninth New York Volunteers, dated September 26, 1864, specifically mentions the two for medals.

Two medals issued April 4, 1865.

1814. Ryan, Peter J.

1816. Sterling, John T.

Case No. 1014 (493183). Bermuda Hundred, Va., May 6, 1864. Commanded the skirmish line in advance and held position all day and during the night.

Letter January 28, 1873, W. B. Stryker, adjutant general of New Jersey.

Adjutant General's records: Letter 1014 gives military history February 10, 1873.

Indorsed in handwriting President Grant March 1, 1873.

One medal issued March 3, 1873.

1014. Drake, J. Madison.

Case No. 1181 (323289). White Oak Swamp, Va., Malvern Hill, Va., June 30 and July 1, 1862. Continued to fight after being severely wounded.

Sworn statement 1181, dated March 23, 1892.

Affidavit Maj. Gen. Franz Sigel, January 21, 1892; Sergt. Kromer, October 15, 1891; Capt. J. Knierunn, May 12, 1891; and Corpl. C. Reiners, September 17, 1891, all of Thirtieth Battery.

Gen. Schofield recommends April 1, 1892.

Acting Secretary awards April 4, 1892, having personally reviewed case.

One medal issued April 19, 1892.

1181. Browner, August.

Case No. 2576 (387613). La Paz, Leyte, P. I., April 26, 1900. Advanced alone under heavy fire of enemy and rescued wounded comrade.

Company commander, Lieut. A. J. McNab, recommends medal honor for 2576; accompanied by two affidavits and his certificate.

Approved November 21, 1900, by Col. O. J. Sweet and Department Commander W. A. Kobbe.

B/O Special Order 133, P. D., recommends medal March 23, 1901.

One medal issued March 10, 1902.

2576. Shelton, George M.

Case No. 1912 (525360). Jonesboro, Ga., August 31, 1864. While acting as aid seized rifle, took place in ranks, bore conspicuous part in repulsing the enemy.

Mr. Warner, Kansas City, transmits affidavits of Smith and Shaw, dated November 2, 1893. Samuel Houston, November 20, 1894; M. Mensing, November, 1894; all eyewitnesses.

November 12, 1898, son of 1912, writes Secretary of War Alger for medal for his father.

November 15, 1898, Adjutant General submits application to Secretary of War.

Record dated July 30, 1898.

Additional evidence furnished May 7, 1898, consisting of letter from O. O. Howard, who states 1912 was accredited with personal prowess in a severe struggle after Gen. McPherson's death.

Copy autograph letter dated September 21, 1864, by O. O. Howard.

February 10, 1899, Assistant Secretary Meiklejohn awards medal honor for act above noted.

One medal issued February 24, 1899.

1912. Crebe, M. R. William.

Case No. 1612 (509886). Spottsylvania, Va., May 12, 1864. Took flag from wounded color bearer, charged over works, and captured Fifty-sixth Virginia flag.

Daniel E. Sickles, Member of Congress, inclosed letter of 1612 asking for medal.

Executive Document 163 gives 1612 as captor of flags of Forty-first and One hundred and seventeenth Confederate States Army, Fifty-sixth Virginia.

Evidence called for; two affidavits inclosed; returned three times for affidavits of two eyewitnesses.

May 6, 1896, William Sweeney, and May 12, 1898, J. A. Kent affirm.

Submitted to Secretary the fourth time, and December 6, 1898, Assistant Secretary Meiklejohn awards medal.

One medal issued December 30, 1898.

1612. Wilson, Christopher.

Case No. 1849 (528837). Murfreesboro, Tenn., December 5, 1864. In charge among first to reach battery of enemy and, with one or two others, mounted horses and took two guns into Union lines.

Application, December 8, 1865, indorsed by Maj. Gen. L. H. Rousseau December 10, 1865, giving specific act in detail.

One medal issued February 7, 1866.

1849. Magee, William.

Case No. 1820 (515996). Osage, Kans., October 25, 1864. Gallantry in capturing Gen. Cabell.

February 26, 1865, Noble, colonel commanding Third Iowa Cavalry, transmits affidavits of enlisted men and statements of officers of the heroic conduct of 1820.

Three affidavits.

One medal issued April 4, 1865.

1820. Young, Calvary M.

Case No. 1815 (493182). Weldon Railroad, Va., August 21, 1864. Captured 2 officers and 20 men of Hagood's brigade while endeavoring to make their way back through woods.

Hoffmann, colonel commanding brigade, November 25, 1864, applies for medal for 1815; stating specific act.

Forwarded approved by Warren, major general, and Meade, major general commanding.

One medal issued March 13, 1865.

1815. Smith, Richard.

Case No. 1833 (517301). Vaughn Road, Va., October 1, 1864. Shot Confederate Gen. Dunovant dead during charge, confusing enemy, and greatly aiding in repulse.

Col. Beaumont, commanding First New Jersey Cavalry, June 14, 1865, applies for medal and specifically recommends and states act; indorsed, approved, and recommended July 16, 1865, by Gens. Avery, Devin, and Crooke.

One medal issued July 3, 1865.

1833. Clancy, James T.

Case No. 1506 (521169). Newbern, N. C., May 23, 1863. With 16 men at head of bridge held in check for half hour enemy and probably saved town (Newbern) from capture.

May 14, 1872, applied for medal.

Four affidavits of officers of regiment, July, 1873.

One medal issued August 13, 1873.

1506. Bryant, Andrew S.

Case No. 1761 (15 V 67). Weldon Railroad, Va., August 19, 1864. Commanded regiment, all officers being disabled.

October 30, 1866, letter Vernon, brevet captain, Fourteenth United States Infantry, recommending 1761 to Gen. Thomas for medal, stating specific act. Approved by brevet major Fourteenth Infantry; Col. Lovell, Fourteenth Infantry, et al.

One medal issued February 15, 1867.

1761. Cayer, Ovilla.

Case No. 1914 (417158). North Anna River, Va., May 23, 1864. Voluntarily and at risk of life carried orders to brigade commander which resulted in saving works regiment was defending.

Application February, 1867, indorsed by Lieutenant colonel commanding.

Indorsed and recommended by chief surgeon, lieutenant colonel, and colonel of regiment.

One medal issued October 25, 1867.

1914. Keele, Joseph.

Case No. 1908 (858 W 69). Chapel House Farm, Va., October 1, 1864. Gallantry in action.

Application October 25, 1869, indorsed by Bvt. Col. J. B. Sinclair, commanding post, and Bvt. Lieut. Col. W. R. Smedburg.

One medal issued November 25, 1869.

1908. Wright, Robert.

Case No. 1870 (151 N 65). Osage, Kans., October 25, 1864. Gallantry in capturing Gen. Marmaduke.

Letter February 19, 1865, Curkendall, captain, Third Iowa Cavalry, stating specific act.

Affidavit February 24, 1865, Roberts, second lieutenant, Third Iowa Cavalry.
 Affidavit Noble, colonel commanding, and Sergt. Morgan.
 One medal issued April 4, 1865.
 1870. Dunlavy, James.

Case No. 1777 (527437). Hatchers Run, Va., October 27, 1864. Led part of brigade; saved two pieces artillery; captured a flag; secured number prisoners.

May 5, 1892, Batchelder, quartermaster general, recommends medal for 1777; cites Hancock's report, in which 1777 is especially commended for capture of guns, etc.

Hancock's report, November 10, 1865: "Captured guns were retaken by us and were soon afterwards drawn off the field by a party of volunteers" (under the direction of 1777, etc.).

Schofield recommends medal.

One medal issued May 25, 1892.

1777. Smith, Joseph S.

Case No. 1696 (641186). Cedar Creek, Va., October 19, 1864. Capture of flag. Letter, November 16, 1864, Col. Washburne, commanding brigade, stating that the man who captured flag sent to Washington was 1696.

One medal issued November 21, 1864.

1696. Taylor, Richard.

Case No. 1414 (407146). Missionary Ridge, Tenn., November 25, 1863. Two color bearers fallen; carried flag forward; captured flag Forty-first Alabama.

Application made in 1895.

Affidavits called for and submitted.

Extract from report regimental commander recommends 1414 for specific action above mentioned.

One medal issued November 25, 1895.

1414. Walker, James O.

Case No. 1698 (814780). Fort Fisher, N. C., December 25, 1864. During bombardment of fort by fleet, captured and brought off flag of the fort, flag-staff having been shot down.

Curtis, M. C., commanding brigade, states January 28, 1892, specific act above mentioned.

Barney, lieutenant colonel, in report mentions specific act and recommends for promotion for gallantry and daring in capturing garrison flag Fort Fisher.

One medal issued March 28, 1892.

1698. Walling, William H.

Case No. 1045 (951 H 64 with 55217). San Antonio, Tex., April, 1861. Preserved and brought away the colors of Eighth United States Infantry after capture of the regiment.

Application September 6, 1864, by 1045.

September 4, 1864, E. L. Hartz, late captain, United States Army, indorses statement.

One medal issued September 10, 1864.

1045. Hesse, John C.

Case No. 1057 (2079 W 1864). Texas, April —, 1861. Brought colors of regiment out of Texas after capture of regiment.

Application December 2, 1864, by 1057.

Affidavit of Hesse December 7, 1864.

One medal issued December 9, 1864.

1057. Wilson, Joseph K.

Case No. 1702 (354635). Petersburg, Va., July 30, 1864. Advanced beyond enemy's lines, capturing stand colors and color guard; severely wounded.

Extract report of Col. J. K. Sigfried, Forty-eighth Pennsylvania Infantry commanding. * * * "1702 in charging rebel line with his men, personally captured a stand of rebel colors and five prisoners, bringing all safely to the rear, although receiving a wound through the right arm."

Application was made by Hon. W. A. Stone, M. C.

September 28, 1889, Sigfried makes further statement.

One medal issued May 1, 1893.

1702. Wright, Albert D.

Case No. 1430 (493065). Rappahannock Station, Va., November 7, 1863. Capture flag of the Eighth Louisiana Infantry in hand to hand struggle with color bearer.

D. A. Russell, brigadier general, commanding, November 18, 1863, mentions specifically above act.

Special Orders, No. —, Gen. Wright, November 8, 1863, sends flag and captor to Washington.

One medal issued December 28, 1863.

1430. Roberts, Otis O.

Case No. 1426 (502505). Missionary Ridge, Tenn., November 25, 1863. While in command of company, came upon large body of the enemy, closed upon them, took a number of prisoners; shot color bearer, seized flag and brought it back to regiment.

War Department record shows Brig. Gen. Wood's report November 25, 1863. 1426 captured flag Eighteenth Alabama.

One medal issued April 4, 1898.

1426. Josselyn, Simeon T.

Case No. 1424 (498654). Gettysburg, Pa., July 2, 1863. During charge of his regiment captured flag of the Eighth Florida Infantry.

Letter November 10, 1897.

Three affidavits August, 1897.

Adjutant General's Office verified record O. K.

One medal issued April 5, 1898.

1424. Horan, Thomas.

Case No. 990 (2696-75). Pecos River, Tex., April 25, 1875. Gallantry in action with Indians.

Lieut. Bullis, April 27, 1875, makes report of scout, Pecos River, Tex., General Order No. 10, May 12, 1875.

Report forwarded by Gens. Sheridan and Sherman; no recommendations.

May 22, 1875, end. signed by "W. W. B." let medals be issued to list.

Three medals issued May 28, 1875.

990. Ward, John.

991. Payne, Isaac.

992. Factor, Pompey.

Case No. 993 (556 A-69). Republican River, Kans., July 8, 1869. Ran out from command in pursuit of a dismounted Indian; shot down and badly wounded by bullet from his own command.

Gen. Augur, General Order No. 48, August 3, 1869: "Gen. Carr commends * * * also of the Pawnee Scouts, under Maj. Frank North. He mentions especially the bravery and gallant conduct of Corpl. John Kyle and of Sergt. 993, of the Pawnee Scouts."

One medal issued August 24, 1869.

993. Co-rux-te-chod-ish (Mad Bear).

2336. Kyle, John.

Case No. 1445 (527340). Chancellorsville, Va., May 2, 1863. Bravery in conducting a scouting party in front of enemy.

February 24, 1865, applies for medal.

Tyler, commanding regiment May 20, 1863, recommends, among others, 1443 as deserving medal. In his report to Finkelmeir, Acting Adjutant General, excelsior brigade.

One medal issued March 29, 1865.

1443. Jacobson, Eugene P.

Case No. 1268 (3026 B 78). Richmond, Va., June 27, 1862. Gallant and meritorious service during the seven days' battles before Richmond, Va.

S. W. Benjamin, Acting Adjutant General, applies for 1268; "helped to bring off two guns abandoned by another battery, and was in imminent danger of capture, etc."

One medal issued April 2, 1878.

1268. Kaiser, John.

Case No. 1244 (490485). Port Republic, Va., June 9, 1862. Mounted artillery horse of enemy and captured brass 6-pound piece in face of enemy's fire and brought it to rear.

January 15, 1864, Secretary of the Treasury transmits application of 1244.
One medal issued March 14, 1864.
1244. Gray, John.

Case No. 1214 (1421 C 1865). Chickahominy and Ashland, Va., June 3, 1862.
Gallantry in action.

Glendenin's report August 28, 1862, mentioned in list of men who most distinguished themselves during rebellion.

Approved by McClellan.

Letter from Lieut. Col. Hynes, March 8, 1864.

One medal issued September 27, 1865.

1214. Capron, Horace, jr.

Case No. 1528 (7915 A 79). Shiloh, Tenn., Vicksburg, Miss., etc., 1862-63. Gallantry in actions.

Granted medal of silver by Board of Honor convened by General Order No. 30, Headquarters Seventeenth Army Corps, Department of the Tennessee, October 2, 1863.

July 2, 1879, Secretary of War awards medal.

One medal issued August 2, 1879.

1528. Orbansky, David.

Case No. 1311 (529075). Charles City Cross Roads, Va., June 30, 1862. Capture of flag.

Application June 18, 1866, by 1311.

Affidavit of Lieut. Col. Porter, Eleventh Pennsylvania, May 20, 1864, stating specific act.

One medal issued July 17, 1866.

1311. Shambaugh, Charles.

Case No. 1692 (512418). Hatchers Run, Va., October 27, 1864. Capture flag of Twenty-sixth North Carolina Infantry.

Letter of Maj. Gen. Geo. G. Meade, commanding, November 10, 1864, transmitting flag and captor.

One medal issued December 1, 1864.

1692. Smith, Alonzo.

Case No. 1676 (512417). Hatchers Run, Va., October 27, 1864. Capture flag of Forty-seventh North Carolina.

Letter of November 10, 1864, Meade to Stanton, transmitting flag and captor and recommending medal.

One medal issued December 1, 1864.

1676. Murphy, Daniel.

Case No. 1681 (2544 A 80). Weldon Railroad, Va., August 21, 1864. Capture flag of Twenty-fourth North Carolina.

Letter of August 25, 1864, Gen. Meade, transmitting flag and name of captor.

One medal issued September 6, 1864.

1681. Reed, George W.

Case No. 2688 (511890). Weldon Railroad, Va., August 21, 1864. Capture flag.

Application of 1888, September 13, 1864.

September 19, 1864, Meade acknowledges receipt of medal for 1888.

August 22, 1864 (copy) letter of Meade transmitting flag and naming captor.

One medal issued September 16, 1864.

1688. Shilling, John.

Case No. 1671 (444400). Franklin, Tenn., November 30, 1864. Captured two battle flags from enemy and returned with them to his own lines.

Application March 7, 1896.

Five affidavits from members of company.

Opdycke, colonel commanding, January 7, 1865, reports capture flag by 1671.

One medal issued March 28, 1896.

1671. Merrifield, James K.

Case No. 1675 (264316). Spottsylvania, Va., May 12, 1864. Rushed back to enemy's lines, took colors from color bearer, who was mortally wounded, and, although himself wounded, carried them through the fight.

Belknap, M. C., submits application, accompanied by testimony.

Muhlbery, first sergeant and captain Company C, testifies that he was in command of the company and that 1675 captured a rebel flag (artillery), etc.
One medal issued February 24, 1891.

1675. Morse, Benjamin.

Case No. 1284 (528836). Antietam, Md., September 17, 1862. Capture of flag, Thirteenth Alabama Infantry.

Application June 25, 1866.

Additional testimony requested.

1866, two affidavits furnished.

One medal issued September 11, 1866.

1284. Murphy, John P.

Case No. 1287 (528835). Antietam, Md., September 17, 1862. Captured flag; supposed to be Seventh South Carolina Infantry.

Letter from Myers, M. C., January 18, 1866, submitting testimony in behalf of 1287 and applying for medal.

One medal issued January 15, 1867.

1287. Orth, Jacob G.

Case No. 1599 (524872). Chapin's Farm, Va., September 29, 1864. Rescue regimental colors from the enemy.

Application January 22, 1870. Brig. Gen. Kiddoo indorses to Secretary of War, recommending favorably.

Secretary of War approves and awards.

One medal issued February 8, 1870.

1599. Hawkins, Thomas R.

Case No. 1423 (5161 D-88). Falling Waters, Va., July 14, 1863. Captured flag, Fifty-fifth Virginia Infantry.

February 27, 1889, application made by 1423.

Adjutant General writes adjutant general State of Michigan for particulars, and receives reply that flag is not in State museum.

Affidavit Mann, late commanding regiment, recommending, who has the flag.

One medal issued March 21, 1899.

1423. Holton, Charles M.

Case No. 1256 (208774). South Mountain, Md., September 14, 1862. Alone received surrender of major of regiment, together with colors and 116 men.

Adjutant general State of Vermont, September 8, 1891, applies and gives record of 1256.

Acting Secretary of War personally reviewed case and awarded.

One medal issued September 17, 1891.

1256. Hooker, George W.

Case No. 1638 (494163). Near Berryville, Va., September 13, 1864. Captured colors, Eighth South Carolina, while engaged in reconnaissance.

Special Orders, No. 35, Headquarters Middle Military Division, September 15, 1864, paragraph 8, orders 1638 to Washington with captured colors.

One medal issued September 19, 1864.

1638. Gause, Isaac.

Case No. 2497 (499518). Shenandoah Valley campaign, Virginia, August-November, 1864. Captured flag.

October 27, 1864, original letter direction commanding general, ordering 2497 to go with rebel flag captured.

October 29, 1864, Secretary of War directs award.

One medal issued November 1, 1864.

2497. Compston, James M.

Case No. 2498 (511838). Namozine Church, Va., April 2, 1865. Sailors Creek, Va., April 6, 1865. Captured flags.

May 21, 1865, original indorsement, Stanton, Secretary of War, to have two medals prepared for this man.

Two medals issued May 3, 1865, and May 26, 1865.

2498. Custer, Thomas W.

Case No. 1645 (509423). Front of Petersburg, Va., July 30, 1864. Captured flag of Sixth Virginia Infantry.

Original letter G. G. Meade, major general commanding, October 6, 1864, transmitting letter from 1645 and flag and recommending medal.

September 30, 1864, Parke and Meade, in indorsements, both recommend.

One medal issued October 11, 1864.

1645. Hogan, Franklin.

Case No. 1647 (517562). Petersburg & Norfolk Railroad, Virginia, August 19, 1864. Captured flag of North Carolina Regiment.

S. W. Crawford, brevet major general, January 18, 1865, states in original indorsement that the flag was given by 1647 to him personally and recommends medal.

One medal issued February 2, 1865.

1647. Hotenstine, Solomon J.

Case No. 1649 (491564). Weldon Railroad, Virginia, June 24, 1864. Captured flag of Eleventh South Carolina.

Original letter Letcher, major, Twelfth Kentucky, July 31, 1865, stating that this man was captor of colors; engaged in all principal battles; first to cross Chattahoochee in 1864.

One medal issued August 7, 1865.

1649. Hughs, Oliver.

Case No. 1654 (381879). Moorfield, W. Va., August 7, 1864. Captured colors of Confederate regiment after being desperately wounded.

February 3, 1894, Bvt. Maj. Gen. Averell applies for medal for 1654, stating the action was under his personal observation, etc.

February 8, 1894, Secretary of War Doe says application denied. Case meritorious, but does not come within the law.

May 25, 1894, Secretary of War Doe, in view of new evidence presented in letter of Averell May 16, 1894, directs award "after being desperately wounded in two places, captured, and brought from the field the colors of a Confederate regiment."

One medal issued June 13, 1894.

1654. Kerr, Thomas R.

Case No. 1664 (506307). Back Creek Valley, Va., July 31, 1864. Capture of flag and its bearer.

Original letter of Tyler, brigadier general, November 9, 1864, forwards flag and gives name of captor and specific statement of action.

Secretary directs award.

One medal issued January 23, 1865.

1664. Marsh, Charles H.

Case No. 1668 (568639). Spottsylvania Courthouse, Va., May 12, 1864. Captured Confederate color in charge; threw flag over in front of works, continued charge upon enemy.

N. Church, major general commanding, reports January 30, 1865, the above action by 1668.

One medal issued January 11, 1900.

1668. McHale, Alexander U.

Case No. 1633 (521719). Spottsylvania Courthouse, Va., May 12, 1864. First to mount enemy's works; captured flag, bayoneted two of enemy, threw flag away to continue pursuit of enemy.

December 20, 1897, Col. Nathan Church applies for medals for this man and No. 1668 (above); mentioned specifically in report January 30, 1865, etc.

Gen. Miles states: "Morning 12th, daybreak, charged enemy's works; works carried with bayonet in most gallant manner, etc."

One medal issued May 13, 1899.

1633. Fall, Charles S.

Case No. 1398 (367102). Chancellorsville, Va., May 3, 1863. Rescued the colors of the One hundred and seventh Ohio Volunteers from the enemy.

Application December 7, 1893, by Nicholson; also by applicant May 31, 1893.

August 10, 1893, Secretary of War states not sufficient evidence.

December 8, 1893, Secretary of War, in view of additional evidence, awards for conspicuous gallantry at Chancellorsville.

One medal issued January 11, 1894.

1398. Goodman, William E.

Case No. 1399 (468265). Missionary Ridge, Tenn., November 25, 1863. Seized colors from bearer, who had been wounded, planted them on enemy's breast-works.

Late Lieut. Col. Hall, January 26, 1897, makes application for 1399, giving details of action; quoting reports of Maj. Frank White and Capt. Hegler, in which reports 1399 is specifically mentioned.

One medal issued February 15, 1897.

1399. Graham, Thomas N.

Case No. 1246 (12028 A 86). Antietam, Md., September 17, 1862. Captured flag and, although wounded, brought it within the lines.

Mentioned in reports of Nelson A. Miles September 19, 1862, and Col. Barlow September 22, 1862.

December 15, 1886, Gen. Miles states the specific act of 1246 "act daring bravery deserving of marked recognition."

Several affidavits of like purport.

One medal issued February 10, 1887.

1246. Greig, Theodore W.

Case No. 1267 (517595). Antietam, Md., September 17, 1862. Captured two colors; received severe wound.

General Orders, 160, May 30, 1863, awarded medal; * * * transferred to Invalid Corps as commissioned officer.

One medal issued September 17, 1863.

1267. Johnson, Samuel.

Case No. 1425 (339152). Missionary Ridge, Tenn., November 25, 1863. Scaled the enemy's works, and in hand-to-hand fight captured the flag.

Application July 11, 1892.

Adjutant General furnishes record.

Schofield approves July 19, 1892.

One medal issued July 29, 1892.

1425. Howard, Hiram R.

Case No. 1422 (300173). Missionary Ridge, Tenn., November 25, 1863. Scaled enemy's works, and in hand-to-hand fight captured a flag.

Application September 28, 1891.

Two affidavits.

Schofield approves December 26, 1891.

One medal issued January 12, 1892.

1422. Green, George.

Case No. 1886 (480268). Spottsylvania, Va., May 12, 1864. Hand-to-hand encounter with enemy, captured flag, was wounded but continued on duty until received second wound.

Records show three affidavits.

Mentioned official report Col. William Davis, Sixty-ninth Pennsylvania, August 11, 1864, "colors were taken by 1886, received wound, etc."

July 22, 1897, Secretary of War awards.

One medal issued August 2, 1897.

1886. McAnally, Charles.

Case No. 2173 (518604). Sailors Creek, Va., April 6, 1865. Extraordinary gallantry leading charge, which resulted in capture large number of prisoners and stand of colors.

Richard W. Tyler, captain, retired, made application for 2173.

Three affidavits.

Brig. Gen. Pierce specifically mentions 2173 in report.

One medal issued March 29, 1899.

2173. Mattocks, Charles P.

Case No. 1441 (363858). Salem Heights, Va., May 3, 1863. Personal gallantry and intrepidity displayed in the management of his brigade and in leading it in the assault, in which he was wounded.

Peck, adjutant general State of Vermont, applies to Secretary of War, April 18, 1893, for medal for 1441—commanded Vermont brigade.

Schofield, April 24, 1893, recommends medal of honor.

Adjutant General, April 24, 1893, gives record. Medical record shows wounds received April 2, 1865.

Gen. Sedgwick, May 15, 1863, in report, commends skill and personal gallantry of 1441 and management of brigade, deserving special notice of commanding general.

Brig. Gen. Getty, November, 1864, Cedar Creek, mentions 1441 as entitled to great credit.

Medal honor approved April 25, 1893.

One medal issued May 11, 1893.

1441. Grant, Lewis A.

Case No. 2057 (8505 A-79). Blakely, Ala., April 9, 1865. Among first to enter enemy's intrenchments, received surrender Confederate general officer and his headquarters flag.

Letter of 2057, June 13, 1879, requests medal for capture of flag April 9, 1865; states that he turned flag over to Lieut. Col. Vifquain.

Adjutant General, July 17, 1879, gives record, and Vifquain as captor of flag, Blakely, Ala., April 9, 1865.

June 16, 1879, letter from Cockrell, who surrendered flag to 2057, April 9, 1865, stating that Col. Vifquain did not capture the flag.

September 24, 1879, Secretary of War awards medal to 2057.

One medal issued October 9, 1879.

2057. Pentzer, Patrick H.

Case No. 2133 (15442 B-78). Petersburg, Va., April 2, 1865. Bravery in action.

Bravely assisted in capture of one of enemy's guns; with first troops to enter city; captured flag Confederate customhouse.

Application 2133 November, 1878.

Affidavits two, February 12, 1879.

Adjutant General's records show that 2133 is one of the men "who were recommended for medals of honor for bravery in battle at Petersburg April 2 and Sailors Creek April 6, 1865."

Adjutant General directs issue of medal, March 13, 1879.

One medal issued March 28, 1879.

2133. Fox, William R.

Case No. 1928 (378148). Petersburg, Va., April 2, 1865. Distinguished gallantry battle of; carried colors 50 yards in advance of his regiment, and after being painfully wounded attempted to crawl into the enemy's works in an endeavor to plant his flag thereon.

Robert L. Orr, colonel, commanding Sixty-first Pennsylvania, November 28, 1893, requests medal for 1928.

Thomas W. Hyde, brevet brigadier general, November 25, 1893, recommends.

George W. Getty, brevet major general, December 4, 1893, affidavit.

December 22, 1893, Orr makes further statement that the act of conspicuous gallantry performed by 1928 was under his personal observation; he was in action, and 1928 was in front of him. This correspondence was on account of there being two color bearers, 1933 and 1928, the latter not being mentioned in report specifically, but is on list, page 1258.

Record furnished and clean.

Secretary of War Doe directs award, December 23, 1893.

One medal issued January 16, 1894.

1928. Fisher, Joseph.

Case No. 2097 (511698; case Boon, H. P.). Paines Cross Roads, Va., April 5, 1865. Capture of flag.

Recommended medal of honor; report, Meade; list, page 1258, Rebellion Records, series 1, volume 146, Part I.

One medal issued May 3, 1865.

2097. Young, Andrew J.

Case No. 2092 (519694). Hatchers Run, Va., April 2, 1865. Capture of flag.

Letter Maj. M. A. Ayres, Eleventh West Virginia Volunteers, to Townsend, sending man with flag: "He is now on his way home on furlough of 20 days, and I earnestly request that you give him an extension of 10 days on his furlough, as a mark of approbation for his gallantry." June 11, 1865.

June 13, 1865, Secretary of War directs award "gallantry in capturing rebel flag in engagement at Hatchers Run, Va., April 2, 1865."

One medal issued June 13, 1865.

2092. White, Adam.

Case No. 2141 (506 A EB-80). Petersburg, Va., April 2, 1865. Bravery in action. Was among first to penetrate enemy's lines, and himself captured a gun of the two batteries captured.

Application of 2141 and two satisfactory affidavits of members of his company with clean records, January 10, 1880.

Townsend, in indorsement, orders issue.

One medal issued June 25, 1880.

2142. Wilson, Francis A.

Case No. 2125 (527975). Petersburg, Va., April, 1865. Gallantry in final and successful assault on. Was one of the three soldiers most conspicuous in final assault.

Recommended by corps commander to receive one-third of the reward of \$400 sent by patriotic citizens to Grant to be presented as a reward for gallantry to the soldier who should first raise our flag over Richmond.

Approved by Charles Griffin, major general Volunteers (no date, presumably April, 1865).

Application, April 14, 1871, and submits affidavits.

Grant's letter to applicant, July 22, 1866, transmitting the third of the \$400—\$153.33.

April 17, 1871, medal awarded.

One medal issued April 22, 1871.

2125. Tucker, Jacob B.

Case No. 2140 (376964). Amelia Springs, Va., April 5, 1865. Conspicuous gallantry battle of. Capture field battery and number battle flags, and in destruction of enemy's wagon train.

October 10, 1893, Gen. H. E. Davies to Secretary of War Lamont, applies for 2140.

November 9, 1893, D. M. M. Gregg, late brigadier and brevet major general, also applies for 2140. Approved by Robert L. Orr, late colonel Sixty-first Pennsylvania.

December 10, 1893, Acting Secretary of War directs issue for "conspicuous gallantry at Amelia Springs, April 5, 1865."

One medal issued January 15, 1894.

2140. Thomas, Hampton S.

Case No. 2149 (334970). Petersburg, Va., April 2, 1865. Distinguished conduct at battle of. With assistance of few men captured two pieces artillery and turned them upon the enemy.

Hon. H. A. Fletcher, June 25, 1892, makes application for 2149.

Record furnished by Ainsworth, July 14, 1892.

Schofield refers case to Gen. L. A. Grant, late commanding general.

Returned by Grant, stating he was wounded and had no personal knowledge of action of applicant, but he adopted report of Maj. Barber as his report of that engagement. Thinks applicant deserving, etc.

August 3, 1892, Schofield submits to Secretary of War; Secretary considers case personally and directs issue.

One medal issued August 12, 1892.

2149. Sperry, William J.

Case No. 2117 (301734). Petersburg, Va., April 2, 1865. Distinguished conduct in action as color bearer at. First to scale the enemy's works and plant the colors thereon.

A. C. Raymond to Secretary of War Proctor, October 10, 1891, makes application for 2117.

Secretary of War refers it to major general commanding. Acting Adjutant General, for the major general commanding, returns it to the Secretary of War: "It is viewed that 2117 is entitled to a medal of honor for distinguished conduct in action at Petersburg, Va., April 2, 1865."

Secretary of War considers case personally, and directs issue, October 22, 1891.

One medal issued October 23, 1891.

2117. Sargent, Jackson.

Case No. 2034 (519699). Fort Stedman, Va., March 25, 1865. Capture of flag of Twenty-sixth North Carolina.

July 5, 1865, Henry L. Abbot, brevet brigadier general, writes to Gen. Parke asking if medal is to be given 2034 for capture of flag, as reported in his telegram of March 31.

Indorsed by Gen. Parke to Adjutant General, inclosing copy of telegram referred to and recommending that medal be awarded.

Copy of telegram referred to.

Secretary of War directs award July 21, 1865.

One medal issued July 21, 1865.

2034. McDonald, George E.

Case No. 2086 (528833). Petersburg, Va., March 25, 1865. Capture of flag of Fifty-ninth Alabama from an officer who, with colors in his hand, was rallying his men.

George G. Meade, major general commanding, March 28, 1865, transmits nine battle flags and specifically mentions 2086 and requests medal of honor for him.

Weygant, lieutenant colonel, commanding One hundred and twenty-fourth New York Volunteers, March 26, 1865, details the capture and specifically mentions 2086.

Secretary of War, April 1, 1865, directs award.

One medal issued April 6, 1865.

2086. Thompkins, George W.

Case No. 2066 (357291). Dabneys Mills, Va., February 6-7, 1865. Capture of flag; grasped the enemy's colors in face of a deadly fire and brought them inside the lines.

William R. Parks writes, February 1, 1893, to Hon. William Mutchler asking for medal for 2066 and quoting extract of order purporting to grant furlough to 2066 for conspicuous gallantry, etc.

Acting Secretary of War indorses that he does not think sufficient evidence in case and asks for testimony of parties knowing the facts.

March 28, 1865, Gen. Crawford, in Special Orders, No. 78, grants 2066 distinguished gallantry and good conduct in battles February 6-7, 1865.

Other testimony submitted, and Secretary of War, November 4, 1893, directs issue, for distinguished gallantry at Dabneys Mills, Va.

One medal issued November 9, 1893.

2066. Sands, William.

Case No. 2214 (6171-89). Near Elkhorn Creek, Wyo., January 13, 1877. While scouting with 4 men attacked in ambush by 14 hostile Indians; held his ground, 2 of his men being wounded, and kept up fight until himself wounded in side, and then went to assistance of wounded comrades.

General order issued by Gen. Crook March 16, 1877 mentions 2214.

August 23, 1878, Lieut. Charles Morton recommends 2214 for certificate of merit; approved by Maj. Carlton, Maj. R. Williams, Gen. George Crook, September 17, 1878; Sheridan, September 23, 1878.

Adjutant General, October 3, 1878, in indorsement notes that certificates can not be given to noncommissioned officers.

January 30, 1890 request made for medal of honor by commanding officer Third Cavalry.

July 25, 1874, Secretary of War reconsidered his decision in regard to application of the act of March 3, 1863, to acts of gallantry subsequent to the rebellion.

April 21, 1890, Gen. Schofield recommended medal.

Secretary of War Proctor, April 26, 1890, concurs and directs award of medal.

One medal issued May 15, 1890.

2214. Bessey, Charles A.

Case No. 2476 (with 454 T 1870). Wichita River, Tex. October 5, 1870. Gallantry in action, Indian scouts in Texas.

Capt. A. W. Rafferty, Sixth Cavalry, October 10, 1870, makes report of engagement and recommendations for medal of honor for gallantry during pursuit and fight with Indians.

Approved by W. T. Sherman November 9, 1870.

J. J. Reynolds, colonel Twenty-fifth Infantry, October 24, 1870, recommends medals to list, and medal to Dozier, citizen guide, if law will sanction it.

Indorsement of Townsend follows: "Make medals for noncommissioned officers, privates, and Guide Dozier."

November 3, 1870, Gen. Halleck forwards.

Six medals issued November 19, 1870.

2476. Welch, Michael.

2326. Keating, Daniel.

2483. Wilson, Benjamin.

2215. Bowden, Samuel.

2207. Anderson, James.

995. Dozier (civilian).

Case No. 2077. Sailors Creek, Va., April 6, 1865. Capture of flag.

George G. Meade, major general commanding, April 16, 1865, in his report to Townsend mentions 2077 as having captured flag, granted furlough for 30 days, and requests medal of honor (p. 606, R. R., Ser. I, vol. 46, pt. 1).

One medal issued April 24, 1865. See page 109.

2077. Simmons, John.

Case No. 2107 (240190). Petersburg, Va., April 2, 1865. Gallantry in assault and capture of. Among first to mount enemy's works in assault; serious bayonet wound in face; struck with clubbed muskets; bravely stood ground; with sword killed man who bayoneted him.

May 6, 1904, affidavit Gen. L. A. Grant, stating that 2107 was not "among the first," but was "the first" to mount works, etc.

Schofield, July 18, 1890, in indorsement, states that 2107, in assault and capture of Petersburg, "was preeminently deserving of a medal of honor."

July 19, 1890, Ainsworth, in end, states that Secretary of War, having personally reviewed this case, concurs in the opinion of Schofield and directs the issue of a medal of honor.

The reviewing of this case was on account of the wording of the ground for award. Applicant wanted "the first" instead of "among the first." There was no question raised as to the merits of the case.

One medal issued July 30, 1890.

2107. Gould, Charles G.

Case No. 1993 (523608). Appomattox Court House, Va., April 9, 1865. Capture flag Forty-sixth Virginia Infantry.

Application 1993, September 26, 1872.

Crawford, commanding Third Division, in report, April 20, 1865, states: "Great credit is due for the manner in which he led on his command and for the capture of the enemy's guns on the Ford Road."

Sherman, October 4, 1872, in indorsement, says that it seems late in the day for 1993 to apply for a medal, but if he values it as a token he advises compliance with his request.

October 8, 1872, Secretary of War awards medal.

One medal issued October 15, 1864.

1993. Funk, West.

Case No. 1677 (517488). Chaplins Farm, Va., September 30, 1864. Capture of flag.

General Orders, 121, Department of Virginia and North Carolina, Army of the James, October 5, 1864, Gen. Butler: "1677 having been reported to commanding general for distinguished gallantry in attack of the enemy upon works of line near Chaplins Farm on September 30, having taken battle flag, etc., * * * offered promotion, declines * * * granted furlough 20 days * * * recommended to Secretary of War for medal * * * will receive present \$25 from commanding general to bear expenses on furlough."

Secretary of War, October 12, 1869, considers this sufficient, and directs award.

One medal issued October 15, 1866.

1677. Murphy, Thomas.

Case No. 1588 (323423). Fort Harrison, Va., September 29, 1864. Led regiment in charge, carrying colors of another regiment; wounded right arm; carried colors in left, which was also disabled by gunshot wound.

Application by Col. Albert Ordway for medal for 1588, March 26, 1892.

Secretary of War Elkins refers to major general commanding.

Schofield recommends award for distinguished bravery in assault on Fort Harrison, Va.

Acting Secretary of War personally reviewed case and ordered issue.

One medal issued April 19, 1892.

1588. Clay, Cecil.

Case No. 1592 (501128). Chapins Farm, Va., September 29, 1864. Took up flag after three color bearers had been shot and bore it forward, though himself wounded.

Robert B. Beath, December 1, 1897, makes application for 1592, stating in detail the circumstances which were detailed to him immediately as captain of Company A, Sixth United States Colored Infantry.

Adjutant General's record shows letter, dated October 24, 1864, addressed to the Acting Adjutant General Third Division, Eighteenth Army Corps, the commanding officer of the regiment stated, as follows: " * * * following-named officers and men * * * distinguished themselves by bravery and coolness in action near New Market Heights, Va., September 29, * * * would not be justified in withholding name of 1592, who, when color bearer was shot, held them aloft while own hand was pierced by bullet, which severed the flag-staff."

Mentioned in address of Maj. Gen. Butler October 11, 1864, and promoted to captain.

Secretary of War, direction of President, directs award March 30, 1898.

One medal issued March 30, 1898.

1592. Edgerton, Nathan H.

Case No. 2170 (304733). Fort Fisher, N. C., January 15, 1865. Distinguished personal bravery in the assault and capture of. First man to pass through stockade; personally led each assault on the traverses, and was four times wounded.

Adjutant general State of Vermont letter to Hon. L. A. Grant, Acting Secretary of War, making application for 2170.

Grant refers to major general commanding, who returns same with recommendation that medal be granted for "distinguished personal bravery in the assault, etc."

Acting Secretary of War reviewed case personally and directed issue, November 21, 1891.

One medal issued November 28, 1891.

2170. Curtis, N. Martin.

Case No. 2161 (246464). Fort Fisher, N. C., January 16, 1865. Gallantry in cutting down palisading at. Voluntarily advanced with the head of the column and cut down the palisading.

2161 applies to Hon. John Sanford July 30, 1890.

Sanford writes Secretary of War on subject August 2, 1890.

Secretary of War replies, August 5, 1890, "No record of list of names as referred to has been found, nor has this department any knowledge of the passage of the resolution described."

August 15, 1890, Sanford submits newspaper clipping, 1865, and requests case be reopened.

Adjutant General furnishes record: Brig. Gen. Ames, in his report of operations about Fort Fisher, N. C., on January 16, 1865, states that " * * * 2161 volunteered with the head of the column and cut down the palisading," and recommended that medals be bestowed upon all enlisted men mentioned.

Schofield recommends medal.

Assistant Secretary of War directs issue medal.

One medal issued September 11, 1890.

2161. Neahr, Zachariah C.

Case No. 2128 (215167). Fort Fisher, N. C., January 15, 1865. Gallant and meritorious conduct at storming of.

Application by 2128 May 24, 1890, referred by Secretary of War to major general commanding. Schofield returns, recommending award for "gallant and meritorious conduct, etc."

Specifically mentioned in report of C. P. Harding, major, Two hundred and third Pennsylvania Regiment, commanding brigade, January 17, 1865, page 119, Rebellion Records, Series I, volume 46, Part I.

Acting Secretary of War directs issue June 11, 1890.

One medal issued June 24, 1890.

2128. Wainwright, John.

Case No. 1915 (475200). James River raid, winter 1864-5. One of the two men who succeeded in getting through the lines with dispatches to Gen. Grant.

February 26, 1873, Gen. Sheridan recommends 1915 for medal honor; messenger to Gen. Grant at New Market, Va.

March 1, 1873, Secretary of War awards medal.

One medal issued March 3, 1873.

1915. Rowand, Archibald H., jr.

Case No. 1964 (477573). Woodstock, Va., January 22, 1865, and Amelia Court House, Va., April 5, 1865. While command retreating before superior numbers, voluntarily rushed back with one companion and rescued his commanding officer, who had been unhorsed and left behind. At Amelia Court House captured two battle flags.

Sheridan recommends for medal.

October 30, 1897, Secretary of War awards medal.

One medal issued October 30, 1897.

1964. Campbell, James A.

Case No. 1418 (938 C-88), Gettysburg, Pa., July 2, 1863. Captured flag Seventh Virginia Infantry; twice wounded in effort.

Claim made by widow of 1418 December 13, 1887, for medal honor.

July, 1863, Brig. Gen. Harrow reports capture Seventh Virginia Regiment flag by 1418.

One medal issued February 6, 1888.

1418. Carey, Hugh.

Case No. 1415 (515701). Gettysburg, Pa., July 3, 1863. Capture of flag.

Receipt dated July 17, 1863, from headquarters Third Brigade, Third Division, Second Army Corps, for one flag received from 1415.

One medal issued March 6, 1869.

1415. Brown, Morris, jr.

Case No. 1416 (142440). Missionary Ridge, Tenn., November 25, 1863. Capture of flag.

March 6, 1890, incloses three affidavits that he captured the flag.

Adjutant General's record March 17, 1890, shows that Lieut. Col. Askers, commanding Fifteenth Ohio Volunteers, commends applicant for having captured flag; report dated November, 1863.

Schofield approved application March 18, 1890.

One medal issued March 27, 1890.

1416. Brown, Robert B.

Case No. 1417 (521168). Hanover, Pa., June 30, 1863. Capture of battle flag.

Letter to Gen. Butler, M. C., from applicant for medal.

Adjutant General's record shows Maj. Hammond, Fifth New York Cavalry, reports 1417 as captor of battle flag.

Gen. Kilpatrick, August 10, 1863, mentions capture of one battle flag.

Adjutant General, January 31, 1878, notes award of medal.

One medal issued February 11, 1878.

1417. Burke, Thomas.

Case No. 2023 (5-U-1866). Jetersville, Va., April 6, 1865. Capture of flag of gunboat *Nanscomnd*.

Application of 2023; indorsement Townsend asking if flag has been received by War Department. Returned March 6, 1866, with statement that no flag answering that description is in collection. Referred to chief signal officer for disposition made of flag.

March 14, 1866, Fisher, chief signal officer and colonel, United States Army, indorses that the flag of the *Nanscomnd* was secured from one of the enlisted men; captured by 2023, according to statement of Lieut. P. H. Niles, Signal Corps. Flag must have been turned in to War Department by Maj. Gen. Meade.

One medal issued March 16, 1866.

2023. Lane, Morgan D.

Case No. 2108 (354139). Petersburg, Va., April 2, 1865. Distinguished gallantry at battle of. Dangerously wounded. Refused to leave field until enemy's works were taken.

Adjutant General's record shows 2108 mentioned in report Maj. Merritt Barber, Acting Adjutant General, to Maj. Gen. L. A. Grant, April 15, 1865. "Lieut. G. C. Hawkins, Third Vermont, acting adjutant Fourth Vermont, very

dangerously wounded while leading the men forward with an enthusiasm deserving of all praise."

Affidavits furnished establishing claim beyond doubt.

September 21, 1893, Assistant Secretary of War directs award.

One medal issued September 13, 1893.

2108. Hawkins, Gardner C.

Case No. 1909 (219424). Five Forks, Va., April 2, 1865. Conspicuous bravery in battle of. First to enter enemy's works, where he captured two flags.

William Blaikie makes application for 1909.

Several affidavits in support of claim; also newspaper clippings dated July 15, 1865, printing letters of farewell to 1909 and his regiment from H. B. Ayres, brevet major general commanding, and James Hayes, jr., brigadier general commanding.

Adj't. Gen. Kelton gives record.

Schofield writes October 3, 1889, to Judge Cox, stating that specific evidence must be filed, etc.

Secretary of War awards.

One medal issued August 14, 1891.

1999. Grindlay, James G.

Case No. 2136 (300730). Petersburg, Va., April 2, 1865. Distinguished conduct in action. With 6 men he captured 69 Confederate prisoners, and recaptured several soldiers who had fallen into enemy's hands.

September 26, 1891, Thomas W. Hyde, late colonel, First Maine, commanding Third Brigade, Second Division, makes application for 2136, stating specific action.

Indorsed approved by George W. Getty, brevet major general, colonel, United States Army, retired.

Indorsed approved by H. G. Wright, late major general, commanding Sixth Corps, brevet brigade and major general United States Army, retired.

Acting Secretary of War awards.

One medal issued October 23, 1891.

2136. Merrill, Augustus.

Case No. 1933 (263102). Petersburg, Va., April 2, 1865. Bravery in storming of. Voluntarily took colors, bearer disabled, although wounded, carried same until enemy's works were taken.

Adjutant General's record; several affidavits which appear genuine; his warrant as sergeant, signed by Robert L. Orr, lieutenant colonel, commanding regiment, bears following remarks: "Promoted for bravery on April 2, 1865, at the storming of the works at Petersburg, and bearing the colors of his regiment all day after being wounded.

Ainsworth asks for additional testimony, which is furnished and appears satisfactory.

Schofield, in indorsement, February 6, 1891, says, "Additional evidence now submitted fully establishes, in my judgment, the title of the claimant to a medal of honor."

Assistant Secretary of War directs award.

One medal issued February 13, 1891.

1933. Matthews, John C.

Case No. 2030 (7238B-79). Hatchers Run, Va., April 2, 1865. Capture colors Eighth Mississippi Infantry.

Application made but some doubt existed as to identity.

Later identity established beyond question.

Acting Secretary of War awards.

One medal issued September 21, 1888.

2030. Mangam, Richard C.

Case No. 2029 (528834). Petersburg, Va., March 31, 1865. Capture flag Forty-first Alabama, together with color bearer and one of color guard.

Original letter George G. Meade, major general, commanding, addressed to Townsend, March 31, 1865, sending this man and the flag and recommending medal of honor.

April 3, 1865, Secretary of War directs award.

One medal issued April 3, 1865.

2029. Lutes, Franklin W.

Case No. 2172 (11499 VS-89). Farmville, Va., April 7, 1865. Gallant and meritorious service at. Gallantry and promptness in rallying his men and advancing, with a small detachment, to save a bridge about to be fired by the enemy.

Application of 2172 June 24, 1889.

Adjutant General furnishes record.

Secretary of War, August 10, 1889, directs award.

One medal issued August 10, 1889.

2172. Ludgate, William.

Case No. 1936 (515902). Petersburg and Sailors Creek, Va., April 2-6, 1865. Gallantry in action. Carried regimental colors over creek after regiment had broken and been repulsed.

April 30, 1867, Maj. Dudley, Twenty-fourth Infantry, brevet colonel, United States Army, applies for medal for 1936.

March 6, 1867, application of 1936.

May 11, 1867, record furnished by adjutant general Rhode Island.

Extract report Gen. Wheaton, Rebellion Records, volume 46, Part I, page 926, for conspicuous bravery and good conduct; 1936 being first of his regiment to enter enemy's works on April 2.

May 9, 1867, Secretary War directs award.

One medal issued May 29, 1867.

1936. Parker, Thomas.

Case No. 1603 (349275). Petersburg, Va., April 2, 1865. Carried the colors at the head of the column in the assault after two color bearers had been shot down.

October 16, 1892, Thomas D. Hyde, late colonel First Maine Volunteers, brevet brigadier general, applies for medal for 1603.

Adjutant General's record.

Letter George W. Getty, brevet major general.

November 16, 1892, Secretary War directs award.

One medal issued November 28, 1892.

1603. Orr, Robert L.

Case No. 2114 (495156). Appomattox Court House, Va., April 9, 1865. Gallantry in action. Wounded five times.

Application 2114 May 8, 1871.

Affidavit Hallon Richardson, late brevet brigadier general United States Volunteers.

June 29, 1871, 2114 acknowledges receipt of medal.

One medal issued June 14, 1871.

2114. Myers, William H.

APPOMATTOX CAMPAIGN, VIRGINIA, MARCH, 1864-APRIL, 1865.

Awarded for distinguished services under resolution of Congress, No. 43, approved July 12, 1862, and section 6 of the act of Congress approved March 3, 1863.

The following cases appear with list submitted by Gens. Meade and Sheridan, and are to be found on page 1258 et seq., Rebellion Records, Series I, volume 46, Part I.

Case No. 2061 (with 511698-Boon). Appomattox Station, Va. April 8, 1865. Captured flag First Texas Infantry.

Gen. Sheridan sends flags captured. His letter of April 12, 1865, incloses list of captors and flags captured.

Address Maj. Gen. Butler, October 11, 1864, to his army.

Newspaper report of presentation of flags by Gen. Sheridan's cavalry.

Adjutant General sends medals honor for delivery to list.

One medal issued May 3, 1865.

2061. Read, Morton A.

Case No. 2116 (503389). Sailors Creek, Va., April 6, 1865. Gallant and meritorious conduct.

Application 2116, February 17, 1866, to Gen. Sheridan.

Sheridan indorses, approving and recommending.

Townsend approves.

Secretary War awards.

One medal issued April 7, 1866.

2116. Richardson, William R.

Case No. 2063 (493067). Near Petersburg, Va., April 2, 1865. Captured flag Battery Gregg.

Extract report Col. Curtis, April 3, 1865, mentioning specifically capture of flag by 2063.

Memorandum in handwriting of John Potts, Chief Clerk War Department, to Senator Willey, stating that medal is awarded 2063.

One medal issued April 3, 1867.

2063. Reeder, Charles A.

Case No. 1959. Petersburg, Va., April 2, 1865. Capture of battle flag.

Awarded for distinguished services under resolution of Congress No. 43, approved July 12, 1862, and section 6, of act of Congress approved March 3, 1863.

This man's name appears with list submitted by Gen. Meade, and is found in Rebellion Records I, volume 46, Part I, page 1258.

One medal issued May 10, 1865.

1959. Briggs, Elijah A.

Case No. 1978. Sailors Creek, Va., April 6, 1865. Capture of flags.

Specifically and individually mentioned in Gen. Meade's report, dated April 16, 1865, and recommended by him for medals of honor. (See page 606, Rebellion Records, Series I, volume 46, Part I.)

Three medals issued April 24, May 3, and May 10, 1865.

1978. Davis, Thomas

2049. Newman, William H.

2077. Simmons, John.

Case No. 2562 (1739503). Patian Island, P. I., July 2, 1909. Advanced machine gun into position; spliced timber for leg of tripod under fire, etc.

Memorandum of Maj. Gen. Carter, assistant to Chief of Staff, quoting Capt. Byram's report, July 5, 1909. Indorsement Department Commander R. W. Hoyt. Indorsement Maj. W. P. Duval, July 30, 1909.

July 10, 1909, governor general wrote letter to Secretary of War same subject.

Recommendations Gen. Rogers, commanding officer of post, and Capt. George L. Byram, Sixth Cavalry. Forwarded November 22, 1909; held up by Gen. Pershing disapproving recommendations of Rogers and Byram.

Adjutant General, after 10 months, called for this report, which was forwarded July 30, 1910.

Indorsement April 7, 1910, by Pershing; July 30, 1910, by Duval.

Memorandum Chief of Staff, August 22, 1912, in which adverse indorsement of the division commander was sent to Capt. Byram for comment or statement which he might see fit to make. General Orders, No. 6, Headquarters Philippine Division, January 30, 1912.

Board officers convened Manila, May 2, 1910, Special Orders, No. 102, paragraph 14; members, Col. Leafiber, Capt. S. C. Vestal, Capt. E. T. Donally; recommended men named be mentioned in orders for gallantry, etc.

Capt. Byram's reply received and reviewed with reports of officers concerned.

Proceedings and recommendations of board approved by Chief of Staff August 22, 1912.

J. A. Baer submitted report officers Sixth Cavalry, who participated in fight.

A board convened, Special Orders, No. 92, Philippine Division, April 20, 1911, consisted of William D. Beach, Capt. Peter W. Davison, Twenty-second Infantry; Capt. T. E. Merrill, General Staff. Recommendations were made for medals and certificates of merit.

September 5, 1912, medals of honor were awarded to the five named.

Five medals issued November 23, 1912.

2562. Miller, Archie.

2589. Wilson, Arthur H.

2546. Henderson, Joseph.

2624. Gaujot, Julien E.

2551. Kennedy, John T.

Case No. 1961. Hatchers Run, Va., February 6, 1865. In a mounted charge dashed into the enemy's line and captured their colors.

Letter February 9, 1865, from George G. Meade, major general, transmitting battle flag captured by 1961, and recommending medal of honor for his gallantry.

One medal issued February 25, 1865.

1961. Caldwell, Daniel.

Case No. 1965 (288916). Fort Stedman, Va., March 25, 1865. Capture of colors Fifty-first Virginia Infantry (C. S. A.).

This man was mentioned in Gen. Parke's report; also complimented by Gen.

O. B. Wilcox, June 2, 1865, for capture Fifty-first Virginia colors.

Adjutant General's record, June 27, 1891.

Assistant Secretary of War, June 30, 1891, directs award medal.

One medal issued July 9, 1891.

1965. Carter, Joseph F.

Case No. 1969 (507158). Bentonville, N. C., March 19, 1865. In charge captured flag Fortieth North Carolina (C. S. A.), flag being taken in personal encounter with officer who carried and defended it.

Two affidavits: Lieut. Lozie, March 15, 1898, and Isaac Oliver, March 15, 1898.

Application Congressman Smith for 1969 inclosing these two affidavits.

Adjutant General's record and two affidavits.

August 24, 1898, Assistant Secretary of War Melklejohn awards medal.

One medal issued August 26, 1898.

1969. Clute, George W.

Case No. 1419 (501173). Gettysburg, Pa., July 3, 1863. Capture of flag Ninth Virginia Infantry (C. S. A.), wresting it from color bearer.

December 6, 1864, request for medal by 1419.

January 4, 1865, submits another application with Col. B. P. Smith's indorsement.

Adjutant General has no record of capture of this flag.

January 23, 1865, Secretary of War directs award of medal to 1419 for gallantry.

One medal issued February 2, 1865.

1419. Clopp, John E.

Case No. 1216 (510167). Fredericksburg, Va., December 13, 1862. Capture flag Nineteenth Georgia Infantry (C. S. A.), wresting it from hands of color bearer.

November 16, 1864, company commander recommends 1216 for medal of honor for capture rebel flag; indorsed by late lieutenant colonel Seventh Regiment Pennsylvania Volunteers.

Indorsement Gen. Meade, November 21, 1864, recommends medal of honor for gallantry.

Secretary of War directs award of medal to 1216 for gallantry in capturing a rebel battle flag in the battle at Fredericksburg, Va., December 13, 1864.

One medal issued November 25, 1864.

1216. Cart, Jacob.

Case No. 1227 (1744 A-88). Williamsburg, Va., May 5, 1862. Capture of a flag after a severe hand-to-hand contest; was mentioned in orders for his gallantry.

Transmits copy of letter, February, 1867, of Gen. Heintzelman, who states that 1227 captured colors.

Newspaper clipping in regard to first rebel flag captured by 1227.

March 29, 1888, Gen. Sheridan recommends medal.

Secretary of War approves April 2, 1888.

One medal issued April 18, 1888.

1227. Coyne, John N.

Case No. 994 (5304-90). Arizona, March 7, 1890. Indian campaign. Bravery in action with Apache Indians.

April 16, 1890, Lieut. J. W. Watson, Twenty-fourth Infantry, commanding officer, individually recommends these men for medals of honor.

Approved March 26, 1890, by Col. Grierson, and on April 3, 1890, by Gen. Miles.

Capt. Lewis Johnson, post commander, makes special mention of each for medal.

April 30, 1890, Maj. Gen. Schofield approves.

Three medals issued May 15, 1890.

994. Rowdy, ———. Bravery in action with Apache Indians.

2351. McBryar, William. Bravery in action with Apache Indians.

2252. Daniels, James T. Untiring energy and cool gallantry under fire in an engagement with Apache Indians.

Case No. 1625 (398353). Resaca, Ga., May 15, 1864. Captured a regimental flag of the enemy.

October 3, 1894, request for medal by 1625; returned November 30, 1894, for further evidence.

Incloses affidavit Lieut. Peter Palen, One hundred and forty-third New York, and statement of William Cole, corporal.

Copy of letter, J. S. Robinson; indorsement by Gen. Howard.

Affidavit, Thomas D. Collins.

Letter recommendation, Charles C. Whipple, a member of the company.

Adjutant General's record dated June 28, 1899.

July 6, 1896, additional evidence and third supplemental report inclosed.

Acting Assistant Secretary of War, August 17, 1896, awards medal by direction of President for most distinguished gallantry in action at Battle of Resaca, Ga., for capture regimental flag of enemy.

1625. Collins, Thomas D.

Case No. 2309 (P. R. D. 8225). Indian campaign, Bear Paw Mountain, Mont., September 30, 1877. Rescue wounded.

May 23, 1894, Henry Romeyn, captain, Fifth Infantry, recommends 2309 for medal for rescuing him on field exposed to close and severe fire.

May 25, 1894, Gen. Miles cordially approves recommendation.

This man had received a medal previously for gallantry in action at Cedar Creek, Mont.

Gen. Schofield, June 23, 1894, recommends award of medal for most conspicuous act.

Assistant Secretary of War, June 26, 1894, awards medal of honor to this man for most distinguished gallantry in action against the Nez Percés, September 30, 1877; this noncommissioned officer carrying Lieut. Henry Romeyn, who was severely wounded, off the field under heavy fire. This is the second medal awarded to this man for most distinguished action.

One medal issued June 26, 1894.

2309. Hogan, Henry.

Case No. 2365 (264 P. 1869, Carroll and 37 others). Indian campaign. Arizona, 1868 and 1869. Bravery in action and scouts against Indians.

Capt. S. B. M. Young in supplemental report, July 14, 1869, to report of July 4, 1869, recommends noncommissioned officer and privates named conspicuous for great bravery.

August 10, 1869, Maj. Gen. Ord recommends for medals or certificates of merit.

Forwarded by Gen. Whipple September 2, 1869.

Townsend, Adjutant General, states medals of honor will be given for bravery in action in scouts against Indians.

Eight medals issued September 6, 1869.

2365. McNally, James.

2286. Green, Francis O.

2290. Gunther, Jacob.

2348. Matthews, David A.

2377. Morarity, John.

2407. Richman, Samuel.

2432. Smith, Otto.

2454. Taylor, Wilbur N.

Case No. 2622 (172134-98). Santiago, Cuba, July 2, 1898. Rescue of wounded.

Recommendation, November 24, 1898, by Capt. Noyes; Col. Powell indorsement approves, also Gen. Shafter, December 7, 1898.

Medal of honor board, Special Order 255, April 19, 1899, approves and recommends.

Secretary of War, May 19, 1899, approves for "voluntarily leaving shelter and, under fire, going to aid of private of his company, who was wounded."

One medal issued June 21, 1899.

2622. Welborn, Ira C.

Case No. 2611 (107590). Near Santiago, Cuba, July 1, 1898. Gallantry in action, after being shot.

July 15, 1898, Gen. Wood recommends 2611 for medal of honor.

Indorsement, July 15, 1898, by Gen. Joe Wheeler.

Gen. Shafter forwards, approved and recommended, July 18, 1898.

Brevet board, Special Order 255, decided adversely.

May 19, 1902, Gen. Wood sent application to Adjutant General's Office.

Medal of honor board, Gen. S. B. M. Young, president, recommended medal.

Secretary of War approved June 28, 1902. "Distinguished gallantry in encouraging those near him by his bravery and coolness after being shot through the head and entirely without sight."

One medal issued July 9, 1902.

2611. Mills, Albert L.

Case No. 2607 (186073). Manimani River, Cuba, July 23, 1898. Bravery on *Wanderer*.

Letter 2607, January 7, 1899, inclosing affidavits of four members of the detachment, dated December 21, 1898.

Capt. Brady, Signal Corps, letter December 23, 1898.

Affidavit Capt. John O'Brien, December 19, 1898.

Affidavit Pvt. Doughty, December 10, 1898.

Affidavit Rodman Butler, December 29, 1898.

Affidavit Cartay, major, Cuban Army, January 16, 1899.

Copy report H. Wessels, major, Third Cavalry.

Henry Jackson, major, Third Cavalry, indorsement, earnestly recommends recognition for 2607.

Brevet board's proceedings and recommendations are approved April 19, 1899, by Secretary of War: "After two men had been shot down in engine room of *Wanderer*, ship disabled, 2607 held position and transmitted orders until ship was out of danger."

One medal issued June 21, 1899.

2607. Heard, John W.

Case No. 2600 (714293). Las Guasimas, Cuba, June 24, 1898. Rescue of wounded.

Gen. Joe Wheeler, April 3, 1899, joins in recommendations of Gen. Wood, Col. Theodore Roosevelt, Gen. Young in request for medal of honor for 2600.

Referred to board of officers, and, July 15, 1903, award of medal was not recommended.

August 18, 1903, Secretary of War concurs in conclusion of the medal of honor board.

November 3, 1905, Gen. Wood writes Military Secretary recommending 2600 for medal of honor.

December 18, 1905, by direction of the President, Assistant Secretary of War Oliver advises 2600 of his award: "In addition to performing gallantly the duties pertaining to his position, voluntarily and unaided carried several severely wounded men from the firing line to a secure position in the rear, in each instance being subjected to a very severe fire and great exposure and danger."

One medal issued January 10, 1906.

2600. Church, James Robb.

Case No. 1703 (383392). Cold Harbor, Va., June 5, 1864. Rescue of wounded.

February 21, 1894, Gen. Peck, adjutant general of Vermont, applies for 1703.

Gen. Hazard Stevens, February 17, 1894, recommends.

Affidavit of two eyewitnesses, April 2, 1894, Joseph Watson; and Peter Terrell, March 15, 1894.

Record of court-martial case of 1703.

April 17, 1894, Assistant Secretary awarded medal.

One medal issued April 25, 1894, for conspicuous gallantry at the Battle of Cold Harbor, June 5, 1864, for removing, under a hot fire, a wounded member of his command from an exposed position to a place of safety.

One medal issued April 25, 1894.

1703. Beattie, Alexander M.

Case No. 1177 (456808). Antietam, Md., September 17, 1862. Rescue of wounded comrade.

W. T. Broadhead, August 7, 1896, incloses affidavits from E. J. Gorgas, first lieutenant Company A, Ninetieth Pennsylvania, dated August 3, 1896, and John Stulen, August 10, 1896.

Adjutant General's record of August 20, 1896, states regiment was in action at Antietam, but no mention of personal conduct of 1177.

October 26, 1896, Assistant Secretary of War, by direction President, awards medal honor to 1177 for distinguished gallantry Battle Antietam, Md., Septem-

ber 17, 1862, after his command had fallen back remained alone on the line of battle caring for his wounded comrades and carrying one of them to a place of safety.

One medal issued October 30, 1896.

1177. Beyer, Hillary.

Case No. 2616 (192641). Santiago, Cuba, July 1, 1898. Rescue of wounded.

One certificate, January 12, 1899, company commander, Lieut. H. T. Ferguson, inclosed; recommended by Col. A. T. Smith in indorsement, January 17, 1899.

Two affidavits eyewitnesses, January 14, 1899.

Brevet Board, General Order 255, recommends.

Secretary of War, April 19, 1899, approves proceedings and recommendations of board.

One medal issued June 22, 1899, for distinguished bravery in battle at Santiago, July 1, 1898, in rescuing from in front of the lines, under heavy fire of the enemy, the wounded, while serving as corporal, Company A, Thirtieth Infantry.

2616. Quinn, Alexander M.

Case No. 1705 (7464-D-87). Cold Harbor, Va., June 3, 1864. Rescue wounded officer.

Application Charles H. Foss, late captain Company F, Fifth Massachusetts, recommends medal honor, August 29, 1887, for 1705; also in letter to Secretary of War.

Application indorsed by affidavit, August 19, 1887, by Capt. Drennan.

Affidavit C. S. Aldrich, March 5, 1888.

August 23, 1887, Col. Pickett, Twenty-fifth Massachusetts Infantry, recommends 1705 specifically.

W. E. Battles, eyewitness, gives affidavit, February 17, 1888.

September 26, 1887, Acting Secretary of War decides adversely.

Additional papers received November 4, 1887, submitted by Gen. Sheridan April 27, 1888, to Secretary of War, recommending award.

April 30, 1888, Secretary of War awards medal for "rescue of lieutenant, who was lying between the lines mortally wounded; this under a heavy fire of the enemy."

One medal issued May 10, 1888.

1705. Boss, Orlando.

Case No. 1704 (464008). Ivy Farm, Miss., February 22, 1864. Rescue of officer.

1704 makes application March 26, 1897.

Affidavit Capt. Hansen, March 12, 1897.

June 16, 1897, Maj. George W. Davis concludes that the claim is supported, although testimony is meager.

June 28, 1897, Secretary of War Alger, by direction of President, awards medal to 1704 for "voluntarily risking life by taking horse under heavy fire beyond line battle for rescue of his captain, whose horse had been killed in a charge, and who was surrounded by the enemy's skirmishers."

One medal issued July 8, 1897.

1704. Bieger, Charles.

Cases Nos. 1863 and 1420 (325121). 1863, distinguished bravery at Petersburg, Va., June 18, 1864. 1420, distinguished bravery at Gettysburg, July 1, 1863.

Philadelphia, Pa., March 31, 1892, survivors Eighty-eighth Regiment Pennsylvania Volunteers recommended both for medals honor; signed by 18 members.

Letter 1420, April 4, 1892.

Adjutant General's record dated April 13, 1892.

Gen. Schofield, April 15, 1892, recommends medals for 1863 and 1420.

Two medals issued April 30, 1892.

1863. Clark, James G.

1420. Gilligan, Edward L.

Case No. 1708 (323234). Wilderness, Va., May 6, 1864. Rescued wounded officer.

Congressman Bentley March 31, 1892, applies for medal for 1708.

Second Lieut. Gluner, Company H, Ninety-seventh New York, July 25, 1896, eyewitness, gives affidavit.

August 15, 1896 Acting Secretary of War Doe, by direction of President, presents medal for "risk of own life, went back while rebels were still firing, and, finding Col. Wheelock unable to move, alone and unaided partially carried and dragged him off the field of battle, procured ambulance, and took him to the field hospital."

One medal issued August 24, 1886.

1708. Burk, Thomas.

Case No. 1706 (377652). Petersburg, Va., June 17, 1864, and Spottsylvania, May 18, 1864. Rescue of wounded comrade.

Request of Congressman Hendricks for medal of honor for 1706, for rescue of wounded comrade at Spottsylvania, May 18, 1864, and Petersburg, Va., June 17, 1864.

Col. Lacey, One hundred and sixty-fourth New York, recommended medal.

Jeremiah Costello, eyewitness, testimony of, corroborated by Nicholas Dugan, corporal of same company.

Testimonials and certificates dated July 23, 1865, signed by 11 officers of the regiment.

Additional evidence furnished by applicant; second by Capt. B. O'Reilly; third by James Costello.

December 8, 1893, Assistant Secretary of War Grant returned papers for specific data in regard to June 3, 1864.

Jeremiah Costello explains his affidavit more specifically December 15, 1893. Capt. O'Reilly does the same December 15, 1893.

Secretary War, January 18, 1894, awards medal of honor for "conspicuous gallantry at the battle of Petersburg, Va., June 17, 1864."

One medal issued January 18, 1894.

1706. Brosnan, John.

Case No. 1630 (508038). Atlanta, Ga., July 28, 1864. Captured flag of Thirtieth Louisiana Infantry.

Application, November 11, 1864, by Gov. Brough, of Ohio, for medal for 1630. Secretary of War awards medal to 1630, November 26, 1864.

One medal issued December 2, 1864.

1630. Davis, Harry.

Case No. 1617 (499522). Luray, Va., September 24, 1864. Capture of flag.

Pencil notation, dated October 14, 1864, on each envelope.

Secretary of War, October 14, 1864, directs award medals for 1617 and 1642. Two medals issued: 1617, October 19, 1864; 1642, October 14, 1864.

1617. Baybutt, Philip B.

1642. Hanford, Edward R. (1168 H 1864).

Case No. 1634 (500278). Spottsylvania, Va., May 12, 1864. Captured flag Second Louisiana Tigers in hand-to-hand contest.

Adjutant General's record shows 1634 captured rebel flag May 12, 1864, at Spottsylvania, Va.

1634 applies for medal in letter dated March 12, 1878.

Secretary of War approves medal March 30, 1878.

One medal issued April 2, 1878.

1634. Fasnacht, Charles H.

Case No. 1981 (4995521). Mount Pleasant, Ala., April 11, 1865. Captured flag (battle) First Louisiana Cavalry.

Affidavit applicant dated May 29, 1867.

Gen. Lucas in report dated 1866 states a flag was captured but does not name captor.

One medal issued July 9, 1867.

1981. Doerle, August.

Case No. 2889 (4958). Near Fort Hartsuff, Nebr., April 28, 1876. Gallantry in charge on hostile Sioux.

Recommendation by Capt. Coppinger, Twenty-third Infantry, August 10, 1876. Recommended in Gen. Crook's order 19, May 6, 1876.

Approved and recommended in indorsement by Gen. Sheridan August 21, 1876.

Gen. Sherman approves application August 28, 1876.

Townsend writes letter to chief clerk War Department August 28, 1876.

Two medals issued August 28, 1876.

2339. Leonard, Patrick (4953).

2345. Lytton, Jephtha L.

Case No. 1252 (471385). South Mountain, Md., September 14, 1862. Distinguished gallantry in action; ordered by act of Secretary of War October 21, 1893.

Application H. L. Crawford August 28, 1893, for 1252. Cites extracts reports of Gen. Doubleday; Gen. Hooker reports of engagement.

One medal issued October 28, 1893.

1252. Hatch, John P. (471385), brigadier general, United States Volunteers.

Case No. 1250 (522045). Fair Oaks, Va., June 1, 1862. Led command across stream and contributed effectively to success of action; this after all company officers had been killed or disabled.

Congress E. C. Burleigh incloses Col. Staples's (Third Maine Regiment) two recommendations, dated June 8, 1868, and November 22, 1898.

Gen. O. O. Howard's recommendation, October 31, 1898.

November 28, 1898, awarded by direction of President, Mettlejohn, Assistant Secretary of War.

One medal issued December 8, 1908.

1250. Haskell, Frank W.

Case No. 2528 (388002-1902). San Miguel de Mayumo, Luzon, P. I., May 13, 1899. Distinguished gallantry in action.

Philippine board, Special Order 133, September 8, 1900, recommends for most distinguished gallantry in action at San Miguel de Mayumo, Luzon, P. I., May 13, 1899, charging with 12 men and routing 300.

Acted upon and recommended by brevet board, of which Gen. Young was president.

Proceedings and recommendations of the board approved by Acting Secretary of War July 1, 1902.

Six medals issued July 15, 1902, and other dates as below:

2528. Birkhimer, William E. (388002-02), July 15, 1902.

2520. Anders, Frank L. (781362), March 3, 1906.

2534. Downs, Willis H. (276731), February 16, 1906.

2549. Jensen, Gotfred (270298), June 6, 1906.

2557. Lyon, Edward C. (276645), January 24, 1906.

2569. Quinn, Peter H. (269184), June 6, 1906.

Case No. 2278 (6308). Powder River, Mont., March 17, 1876. Gallantry in action.

Letter, May 29, 1877, Camp Sheridan, Nebr., Second Lieut. Frederick Schwatka, in fight with hostile Sioux and Crazy Horse fight, 1876, to the surrender of the chief at Red Cloud Agency in May of that year. Specifically mentions the men listed below for medals of honor.

Forwarded by Maj. A. W. Evans, June 2, 1877, approved.

Capt. Anson Mills repeats recommendation he intended to make.

Forwarded by Lieut. Gen. Sheridan October 9, 1877, approved.

Adjutant General, October 16, 1877, writes chief clerk War Department, directing issue of medals to the five named.

Five medals issued October 16, 1877.

2278. Glavinski, Albert (6308).

2433. Smith, Robert.

2352. Murphy, Jeremiah.

2439. Snow, Elmer A.

2333. Kirkwood, John A.

Case No. 1627 (499519). Fishers Hill, Va., September 22, 1864. Gallantry in capturing rebel battle flags.

October 6, 1864, receipt Brig. Gen. Townsend medals awarded those named on list.

October 4, 1864, Townsend, by direction Secretary of War, directs John Potts to award medals to those cited in list.

Three medals issued October 6, 1864.

1627. Connors, James (499519).

1628. Creed, John (474347).

1673. Moore, George G. (499519).

Case No. 2267 (1959). Whetstone Mountains, Ariz., May 5, 1871. Indians. Gallantry in action.

August 26, 1871, indorsement Alexander Moore recommends medals for the five named for bravery and good conduct in engagement with Apaches, F Troop, Third Cavalry.

Approved by George Crook, late colonel Twenty-third Infantry, October 6, 1871.

Approved by Gen. Schofield October 23, 1871.

Sergt. John Mott, Troop F, Third Cavalry, reports engagement in report dated May 20, 1871.

November 3, 1871, Townsend indorses that medals will be given.

Five medals issued November 13, 1871.

2267. Fichter, Herman (1959).

2370. Miller, Daniel.

2493. Yount, John P.

2331. Kilmartin, John.

2373. Mott, John.

Case No. 2473 (2226). Wounded Knee Creek, S. Dak., December 29, 1890. Gallantry in action.

Capt. Alan Capron, First Artillery, January 2, 1891, recommends 2473 and 2300 for medal of honor.

Forsythe, colonel Seventh Cavalry, in indorsement, January 3, 1891, approves.

Gen. John A. Brooke, February 11, 1891, approves.

Recommended by Gen. Miles, February 13, 1891.

Approved as recommended, March 21, 1891, by Secretary of War.

Two medals issued March 24, 1891.

2473. Weinert, Paul H. (2226).

2300. Hartzog, Joshua B.

Case No. 1707 (464275). Ashepoo River, S. C., May 24, 1864. Conspicuous gallantry in action on Ashepoo River, S. C., May 24, 1864; this officer gallantly commanded a boat crew which went to the rescue of a large number of Union soldiers on board the stranded steamer *Boston*; with great gallantry succeeded in conveying them to shore, being exposed during the entire time to a heavy fire from a rebel battery.

December 14, 1896, Col. Marple, Thirty-fourth United States Colored Infantry, incloses his affidavit, dated October 29, 1896.

Affidavit 1714 and 1716, June 15, 1895.

Affidavit late chaplain Thirty-fourth United States Colored Troops; H. H. Moore, August 24, 1895.

Affidavit of 1738, December 17, 1896; affidavit 1713, December 19, 1896.

Official records show that these men belonged to the organization.

Report Lieut. Col. Twiggs, May 27, 1864, gives account of firing on the stranded steamer *Boston*.

Nothing in the records to show that the men were not present with their company from May 20 to 26, 1864.

Five medals issued January 21, 1897.

1707. Brush, George W.

1738. Scanlon, Patrick (465700).

1714. Duffey, John (465715).

1713. Downey, William (465698).

1716. Gifford, David L. (465738).

Case No. 2266 (14766A). Red Creek, Ariz., September 23, 1869. Indians; gallantry in action.

Report Thomas W. Gibson, first lieutenant, Eighth Cavalry, commanding D Troop, makes special mention of 2297, 2266, and 2465, of Troop D, Eighth Cavalry.

Frank Wheaton, Twenty-first Infantry, September 28, 1869, commends Lieut. Gibson and his gallant men to the favorable consideration of the department commander.

October 26, 1869. E. O. C. Ord recommends brevet for Lieut. Gibson and medals for enlisted men named.

November 19, 1869, Townsend states there are no certificates; give them medals of honor.

Three medals issued November 23, 1869.

2266. Ferrari, George.

2297. Harris, Charles D.

2465. Walker, John.

Case No. 2289 (14766A). Milk River, Colo., Ute Indians, September 29 to October 5, 1879. Gallantry in action.

October 6, 1879. Capt. Payne recommends list of four.

Indorsement Wesley Merritt November 16, 1879, approves recommendations.

George Crook, brigadier general, November 24, 1879, forwards approval.

George A. Forsythe, November 28, 1879, approves.

Gen. Sherman, January 15, 1880, recommends to Secretary of War sergeants 2289, 2399, 2374, and 2408.

Approved by Secretary of War January 27, 1880.

- Four medals issued January 27, 1880.

2289. Grimes, Edward P.

2399. Poppe, John A.

2374. Moquin, George.

2408. Roach, Hampton M.

Case No. 1683 (513779). Winchester, Va., September 19, 1864. Capture of flags.

Papers as basis of award of medal not furnished; lost.

Letter of Adjutant General, September 23, 1864, to chief clerk War Department directing him to prepare medals.

Awarded by Secretary of War.

Receipt of medals by list cited, dated September 27, 1864.

Seven medals issued September 27, 1864.

1683. Reynolds, George.

1618. Bowen, Chester B.

1623. Cole, Gabriel.

1614. McEnroe, Patrick.

1635. Fox, Henry M.

1659. Lorish, Andrew J.

1670. Meach, George E.

Note: Rebellion Records, volume 43, page 551, gives list of awards as follows:

1683. Capture of Virginia State flag at Winchester, Va., September 19.

1618. Capture of flag at Winchester, Va.

1623. Capture of flag at Winchester, Va.

1614. Capture of colors, Thirty-sixth Virginia, at Winchester, Va.

1635. Capture of flag at Winchester, Va.

1659. Capture of Confederate national flag at Winchester, Va.

1670. Capture of flag at Winchester, Va.

List also mentioned in Series III, volume 4, page 814.

Thomas C. Devin, brevet brigadier general, reports October 23, 1864, volume 43, Rebellion Records, page 483, "where all behaved so gallantly it is impossible to discriminate."

Case No. 2150 (2221259). Fort Fisher, N. C., January 15, 1865. Voluntarily advancing at head of column cutting down palisading.

October 19, 1914, 2150 applies for medal.

Record, Adjutant General's Office, October 26, 1914, bestows medal of honor also upon 2159, Company I, One hundred and forty-second New York Infantry, and 2152, Company G, one hundred and forty-second New York Infantry.

January 16, 1865, Brig. Gen. Ames recommends medals for names cited.

Three medals issued December 28, 1914.

2150. Anderson, Bruce.

2152. Chapin, Alaric B.

2159. Merrill, George.

Case No. 2625 (350201). Fredericksburg, Va., December 13, 1862. Voluntarily seized the colors after several color bearers had been shot down and led the regiment in the charge.

Maj. E. F. Wetmore, Twenty-sixth Volunteer Infantry, makes application for medal November 14, 1892, for 2625.

Fredericksburg, Va., December 13, 1862, several color bearers were shot down, and No. 2625 picked up flag and carried it.

November 22, 1892, Gen. Schofield recommends medal be awarded to applicant for distinguished bravery at Battle of Fredericksburg, December 13, 1862.

Acting Secretary War directs award of medal.

One medal issued December 2, 1892.

2625. Keene, Joseph.

Case No. 1160. Colors. Vicksburg, Miss., May 22, 1863 (295524). Carried colors in advance of his regiment and was shot down while attempting to plant them on enemy's works.

Letter E. T. Langley to Secretary of War requesting medal of honor for 1160. Asst. Adjt. Gen. Vincent on August 26, 1891, finds no specific act of bravery. Returned informally September 3, 1891, he finds specific bravery and recommends he be granted medal of honor.

Affidavit of W. D. Thayer, August 11, 1891.

Affidavit of Alonzo Abernathy, colonel Eleventh Iowa, August 11, 1891.

Ainsworth, Adjutant General, submits official record August 25, 1891.

Secretary of War directs issue of medal.

One medal issued September 12, 1891.

1160. Elson, James M.

Case No. 2175 (283311). Fort Fisher, N. C., January 15, 1865. Gallantly led assault, etc.

Congressman Brosius in letter May 18, 1891, recommends 2175 for medal of honor.

Extract dated January 25, 1865, of Maj. Gen. Terry's report mentions 2175 as carrying a standard and being first man in charge over traverse.

Brig. Gen. Ames report, 1865, mentions 2175 having been seriously wounded while planting his colors on the Third traverse.

August 6, 1891, Gen. Schofield recommends medal for bravery in battle of Fort Fisher, N. C., January 15, 1865.

Acting Secretary of War directs award medal August 8, 1891.

One medal issued August 17, 1891.

2175. Pennypacker, Galusha.

Case No. 2464 (A. G. O. 1713-72). Loupe Fork, Platte River, Nebr., April 26, 1872.

Report April 28, 1872, Col. J. J. Reynolds, Third Cavalry, recommends for gallantry in affair of April 26, 1872, with hostile Sioux.

April 30, 1872, approved by Gen. Ruggles for Gen. Ord.

May 4, 1872, approved by Gen. Sheridan.

May 14, 1872, Secretary of War awards four medals as recommended.

Four medals issued May 22, 1872.

2464. Vokes, L. A.

2449. Strayer, W. H.

2268. Foley, J. H.

976. Cody, W. H.

Case No. 1167 (A. G. O. 145630). South Mountain, Md., September 14, 1862. Capture of flag.

Lieut. Col. J. J. Seaver, in report September 14, 1862, mentions 1167, who secured the Sixteenth Georgia colors and made color bearer prisoner.

September 4, 1890, medal recommended by Gen. Schofield.

September 4, 1890, Assistant Secretary of War directs medal award.

One medal issued September 11, 1890.

1167. Allen, James.

Case No. 1615 (514487). Spottsylvania, Va., May 12, 1864. Capture of flag.

Report dated December 16, 1864, Capt. J. F. Weaver, One hundred and forty-eighth Pennsylvania Infantry, commanding regiment, recommends 1615 for medal, for capture of Eighth North Carolina regimental colors, and being one of foremost in assault.

Approved by Col. W. W. Mintzer and Brig. Gen. Nelson A. Miles, December 21, 1864.

Approved and earnestly recommended December 22, 1864, by Gen. A. A. Humphreys.

Recommended by Gen. George C. Meade, December 24, 1864.

One medal issued January 31, 1865.

1615. Ammerman, Robert W.

Case No. 1212 (A. G. O. 21051-91). Shepardstown Ford, Va., September 26, 1862. Conspicuous gallantry in action. Returned in face of enemy and spiked gun.

Recommended by company commander W. F. Drum, first lieutenant, Second Infantry, September 25, 1862.

Battalion Commander J. S. Poland notes report of gallant conduct by company commander in indorsement.

December 8, 1891, 1212 applies to Adjutant General for medal of honor.

December 26, 1891, Col. Poland, Seventeenth Infantry, alludes to report of Col. Drum made in 1862.

April 9, 1892, Gen. Schofield recommends medal be awarded.

April 11, 1892, Assistant Secretary of War Grant awards medal of honor for distinguished gallantry in action at Shepardstown Ford, Va., April, 1862.

Medal issued April 21, 1892.

1212. Burke, Daniel W.

Case No. 1331 (A. G. O. 490046). Procuring ammunition under fire. Shiloh, Tenn., April 6, 1863.

Application of 1331, August 12, 1897.

Record furnished by Ainsworth, September 13, 1897.

Affidavit of John R. Walker, late colonel Twenty-eighth Illinois, August 31, 1897.

Secretary of War, September 22, 1897, directed issue of medal to 1331; gallantry at Shiloh, Tenn.

Notification of award to 1331 by Alger, Secretary of War.

Medal issued September 28, 1897.

1331. Williams, Elwood N., "for most distinguished gallantry in action. * * * At Shiloh, April 6, 1862, this soldier, then a private, Company A, Twenty-eighth Illinois Volunteers, responding to a call for volunteers to go forward between the lines for the purpose of recovering a box of ammunition that had been abandoned when the regiment fell back, went forward with one companion under a constant and heavy fire from both armies, recovered the box, and delivered it within the regimental line, the companion of Williams being mortally wounded in the service."

Case No. 1235 (A. G. O. 248882). Procuring ammunition under fire. Stone River, Tenn., December 31, 1862.

1235 makes application August 27, 1890; submits copies of letters of Gen. Sheridan and Col. Mendenhall highly commendatory of his service.

Ainsworth suggests same be referred to major general commanding Army for his recommendation.

Referred by Secretary of War to major general commanding Army, September 8, 1890.

Schofield, commanding, September 10, 1890, states that in his judgment the letter of Gen. Sheridan may be accepted as evidence of such distinguished bravery in action as would justify the award of medal, and recommends same.

Secretary of War awards medal September 11, 1890.

Medal issued September 19, 1890.

1235. Follett, Joseph L. Gen. Sheridan's recommendation is basis for following: "Such distinguished bravery in action as would justify the awarding of a medal of honor."

Case No. 1509 (A. G. O. 442195). Procuring ammunition under fire. Chickamauga, Ga., September 20, 1863.

Application of 1509 February 12, 1896, to President of United States.

Thomas Morgan, lieutenant colonel, commanding Seventy-fourth Regiment Indiana Volunteers, September 22, 1864, recommends specifically 1509.

Ainsworth submits record February 27, 1896.

Secretary of War, March 8, 1896, directs issue for distinguished gallantry in action, Battle of Chickamauga.

Medal issued March 11, 1896.

1509. Chamberlain, Orville T., "for most distinguished gallantry in action at the Battle of Chickamauga, Ga., September 20, 1863; this officer (then a lieutenant in command of his company), while exposed to a galling fire, going in search of another regiment, finding its location, procuring ammunition from the men thereof, and returning with such ammunition to his own company."

Case No. 1545 (A. G. O. 429031). Procuring ammunition under fire. Chickamauga, Ga., September 20, 1863.

A. Milnes, M. C., submits affidavits of Melvin Mudge, August 3, 1895; Lieut. Col. J. S. Rayner, June 14, 1895; H. Miller, May 15, 1895; and W. R. Shepard, August 20, 1895, late privates, Eleventh Michigan Volunteers.

Col. William L. Stoughton, September 27, 1863, submits report of procuring of ammunition but does not specifically mention any individual case.

Record furnished by chief of division.

Secretary of War, October 18, 1895, by direction of the President, orders issue.

Medal issued October 21, 1895.

1545. Whitney, William G., "for most distinguished gallantry in action at Chickamauga, Ga., September 20, 1863. This officer, at a time when the enemy were about to make a charge, went outside the Union temporary works, and among the wounded and dead enemy outside, and at great exposure to himself cut off and removed the cartridge boxes from the enemy and brought the same within the Union lines for use, and which cartridges so procured were used with good effect in again repulsing the enemy."

Case No. 1466 (A. G. O. 447154). Procuring ammunition under fire. Chancellorsville, Va., May 3, 1863.

L. S. Wisner, late captain Company K, One hundred and twenty-fourth New York, forwards petition of surviving officers March 20, 1896.

Statements of Capt. Wisner and Capt. Robertson and Lieuts. Hotchkiss and Hart, March 20, 1896, to the effect that they were eyewitnesses of the act of gallantry performed by 1466.

Affidavit of Hays, lieutenant, One hundred and twenty-fourth, March 18, 1896.

Affidavit of Robertson, late captain, One hundred and twenty-fourth, March 31, 1896.

Letter J. H. H. Ward, late commanding Second Brigade, First Division, Third Corps, to Secretary of War, April 6, 1896.

Secretary of War, May 27, 1896, directs issue.

Medal issued June 10, 1896.

1466. Bradley, Thomas W., "for most distinguished gallantry in action at Chancellorsville, Va., May 3, 1863. This noncommissioned officer (then a corporal of Company H) volunteered, in response to a call, and alone, in the face of a heavy fire of musketry and canister, went and procured ammunition for the use of his comrades."

Case No. 1497 (A. G. O. 441029). Procuring ammunition under fire. Gettysburg, Pa., July 3, 1863.

Hon. Henry C. Brewster, M. C., February 11, 1896, applies for medal for 1497.

Letter of brother of 1497, February, 1896, to Congressman Brewster.

Letter of Ostrander to brother 1497, August 25, 1895.

Letter of Hiscutt, September 4, 1895, to 1497.

Letter of Woodhull, Company A, One hundred and eighth New York, December 23, 1895.

Letter of Elwood, November 19, 1895.

Letter of Wells, November 14, 1895; all testifying as to specific act.

Secretary of War directs award March 4, 1896.

Medal issued June 10, 1896.

1497. Raymond, William H., "for most distinguished gallantry in action at Gettysburg, Pa., July 3, 1863. This noncommissioned officer voluntarily and under a severe fire brought a box of ammunition to his comrades on the skirmish line."

Case No. 1788 (A. G. O. 463667). Procuring ammunition under fire. Bermuda Hundred, Va., May 18, 1864.

Fox applies under date December 3, 1896, for medal for 1788 and makes statement under oath as to specific act of 1788.

J. J. Still, late Company C, Ninety-seventh Pennsylvania, corroborates Fox's statement, December 3, 1896.

Letter of John Walnwright, late colonel Ninety-seventh Pennsylvania, November 18, 1896, certifies as to character of Fox and Still, late of Company C, also remembers the act referred to.

Affidavit of J. Jones Still, Company C, Ninety-seventh Pennsylvania, November 13, 1896.

Affidavit of Fox, Company G, Ninety-seventh Pennsylvania, October 31, 1896.

Nothing official in any record.

Ainsworth submits to Secretary of War December 10, 1896.

Secretary of War directs award.

Medal issued December 17, 1896.

1788. Engle, James E., "for most distinguished gallantry in action at Green Plains (Bermuda Hundred), Va., May 18, 1864. This noncommissioned officer responded to a call for volunteers to carry ammunition to the regiment on the picket line, and under a heavy fire from the enemy assisted in carrying a box of ammunition to the front and remained to distribute same."

Case No. 1790 (A. G. O. 557636). Procuring ammunition under fire. Trevillian Station, Va., June 12, 1864.

Affidavit of Col. A. P. Morrow, United States Army, late captain Company C, Sixth Pennsylvania Cavalry, August 9, 1899.

Letter of Mulholland, pension agent, to Gen. Miles, August 14, 1899.

Affidavit of 1790, August 9, 1899.

Statement of 14 enlisted men of the Sixth Pennsylvania Cavalry, August 9, 1899.

W. Merritt, major general, United States Army, concurs in statement of 1790, August 12, 1899.

Referred to Secretary of War by Ainsworth.

Acting Secretary of War, by direction of President, orders award.

Medal issued October 20, 1899.

1790. Furness, Frank, "for most distinguished gallantry in action at Trevillian Station, Va., June 12, 1864. On this occasion a detachment occupying an exposed and isolated outpost having expended its ammunition, Capt. Furness, carrying a box of ammunition on his head, ran to the outpost across an open space that was swept by a fierce fire from the enemy. This ammunition, together with that carried by another officer who had responded to Capt. Furness's call for volunteers, enabled the detachment to hold its position until night-fall, thus saving the main line from severe loss."

Case No. 1784 (A. G. O. 449137). Procuring ammunition under fire. Wilderness, Va., May 6, 1864.

Letter from Bvt. Maj. Leonard, United States Army, retired, December 30, 1893, recommending specifically 1784.

Affidavit of James Anderson, April 20, 1896.

Affidavit of Levi Southwick, April 28, 1896.

Letter of W. B. Hooker, M. C., to Ainsworth, May 26, 1896.

Secretary of War, June 17, 1896, directs award.

Medal issued June 23, 1896.

1784. Brown, Henri LeFevre, "for distinguished gallantry in action at the Wilderness, May 6, 1864. This noncommissioned officer voluntarily and under a heavy fire from the enemy three times crossed the field of battle with a load of ammunition in a blanket on his back, thus supplying the Federal forces, whose ammunition had nearly all been expended, and enabling them to hold their position until reinforcements arrived, when the enemy were driven from their position."

Case No. 1787 (A. G. O. 377218). Procuring ammunition under fire. Winchester, Va., September 19, 1864.

Adjutant general State of Vermont applies for medal for 1787.

Stephen Thomas, lieutenant colonel Eighth Vermont Volunteer Infantry, recommends, November 9, 1893.

Copy of extract inclosed by Gen. Thomas.

Letter of Hawkins, November 21, 1893.

Letter of Carpenter, November 7, 1893, in which he states 1787 is mentioned for gallantry in History of Eighth Vermont Volunteers, page 189.

Letter of Howard, late captain, Company C, Eighth Vermont Volunteers; all testify as to specific act of 1787; there is, however, no official mention of 1787.

Assistant Secretary of War directs award December 2, 1893.

Medal issued December 13, 1893.

1787. Downs, Henry W., "for distinguished gallantry at the battle of Winchester, Va., September 19, 1864."

Case No. 1724 (290635). Newport Barracks, N. C., February 2, 1864. Gallantry in action.

Letter dated August 20, 1891, adjutant Ninth Vermont Volunteer No. 1724, recommending 1891 and 1880 for medals of honor.

Quotes Lieut. Col. Valentine G. Barney's, Ninth Vermont Volunteers, report of February 5, 1864.

Also report of Col. E. H. Ripley, dated Newberne, N. C., August 31, 1864.

Statements concurred in by company commander K, 1880, and company commander C, 1891, Ninth Vermont Volunteers.

Acting Secretary of War L. A. Grant, August 29, 1891, directs award three medals.

Three medals issued September 8, 1891.

1724. Livingston, Josiah O.

1880. Jewett, Erastus W.

1891. Peck, Theodore S.

Case No. 2256 (841 p. 1869). Chiricahua Mountains, Ariz., October 20, 1869. Gallantry in action.

Gen. Ord forwards report, January 19, 1869, giving names of men of Company G, First Cavalry, and Company G, Eighth Cavalry, whom he recommended for gallantry in engagements with hostile Indians.

Report of scout in pursuit of Indians made by Bvt. Col. R. F. Bernard and Lieut. W. H. Winter, First United States Cavalry, November 6, 1869.

Forwarded to Secretary of War, November 26, 1869, and returned December 4, 1869.

February 4, 1870, Secretary of War directed award of medals of honor to list.

Original papers forming basis of award were lost some time in 1885 or 1886.

Sixteen medals issued February 14, 1870.

2256. Dickens, Charles H.

2234. Carr, John.

2296. Harding, Mosher A.

2327. Keenan, Bartholomew T.

2380. Murphy, Edward.

2396. Pengally, Edward.

2441. Springer, George.

2436. Smith, Thomas J.

2435. Smith, Thomas.

2445. Steiner, Christian.

2425. Seward, Griffin.

2440. Spence, Orizoba.

2422. Schroeter, Charles.

2424. Scott, Robert B.

2461. Tracy, John.

2474. Weiss, Enoch R.

Case No. 2261 (10710 EB). Big Hole, Mont., August 9, 1877. Bravery in action with Indians.

Capt. Charles C. Rawn, July 19, 1878, requests information in regard to action taken upon his report of four men recommended for medal of honor for bravery in action, submitted January 10, 1878.

Gen. Terry, August 6, 1878, states that it was inadvertently filed.

Second Lieut. Woodbridge, Seventh Cavalry, September 12, 1878, recommends individually and specifically the four men named.

Individual recommendations approved by Maj. Gen. Gibbon, October 5, 1878, and Gen. Sheridan, October 8, 1878.

Secretary of War orders award November 11, 1878.

Four medals issued December 2, 1878.

2261. Edwards, William D.

2361. McLennon, John.

2412. Rogan, Patrick.

2485. Wilson, Mildred H.

Case No. 1970 (507896). Waynesboro, Va., March 2, 1865. Capture of flags. Gallantry in capturing rebel flags in Sheridan's raid.

Maj. Gen. Phil. Sheridan, March 19, 1865, sends 17 rebel flags and their captors to Washington. Requests leaves, pay, etc., for list.

March 21, 1865, Secretary of War to Potts, chief clerk, awards medals.

Sixteen medals issued March 26, 1865.

1970. Compson, Hartwell B.

2050. Niven, Robert.

2021. Kuder, Andrew.

1954. Boury, Richard.

2053. O'Brien, Peter.

2135. Ladd, George.

1997. Coheen, C. A.

2018. Carman, Warren.

1973. Crowley, M.

1943. Anderson, C. W.

2015. Kelly, D.

1920. Bickford, H. H.

2003. Harvey, Harry.

1924. Congdon, James.

2042. Miller, John.

1960. Bruton, Christopher C.

Case No. 2273 (4532). Wounded Knee Creek, S. Dak., December 29, 1890. Gallantry in action. For service in detail see attached paper.

A true copy of original recommendation, January 2, 1899, Col. James W. Forsythe, Seventh Cavalry, for brevet as captain.

Letter, March 7, 1899, James W. Forsythe, colonel, Seventh Cavalry, reiterates original recommendation and gives more minute detail of incident.

Lieut. Hawthorne in original list received a medal of honor October 11, 1892.

Gen. Miles in indorsement March 11, 1893, recommends.

Col. Heyle, inspector general, makes report of investigation to ascertain acts of gallantry at Wounded Knee.

Assistant Secretary of War Grant, September 20, 1893, awards medal to 2273 for distinguished gallantry at Wounded Knee Creek.

One medal issued September 26, 1893.

2273. Garlington, Ernest A.

Case No. 2302 (37284). Wounded Knee Creek, S. Dak., December 29, 1890. Gallantry in action.

January 1, 1891, letter of Allen Capron, captain commanding, Light Battery E, submits report of engagement of December 29, 1890, with hostile Indians on Wounded Knee Creek, S. Dak.; recommends 2302 for brevet of first lieutenant or captain.

August 6, 1892, Capt. Capron, First Artillery, recommends 2302 for medal.

Description of wound by Capt. Charles B. Ewing, assistant surgeon; gives extract from paper read before Association of Military Surgeons.

Indorsement September 28, 1892, Gen. Schofield recommends award medal of honor for "distinguished conduct in battle with hostile Indians at Wounded Knee Creek, S. Dak., December 29, 1890."

September 29, 1892, Acting Secretary of War awards medal for "distinguished conduct in action with hostile Indians at Wounded Knee Creek, S. Dak., December 29, 1890, while serving as second lieutenant, Fourth Artillery."

One medal issued October 11, 1892.

2302. Hawthorne, Harry L.

HEADQUARTERS SEVENTH CAVALRY,
CAMP AT PINE RIDGE, S. DAK.,
January 2, 1891.

ADJUTANT GENERAL UNITED STATES ARMY,
Washington, D. C.

(Through proper channels.)

SIR: I have the honor to recommend First Lieut. E. A. Garlington, Seventh Cavalry, for the brevet of captain for the admirable manner in which he managed the portion of his troop under his charge and the fighting qualities displayed by him in the performance of his duties during the battle with Big Foot's band of hostile Indians at the crossing of Wounded Knee Creek, S. Dak., December 29, 1890.

Very respectfully, your obedient servant,

JAMES W. FORSYTH,
Colonel Seventh Cavalry, Commanding.

A true copy.

J. F. BELL,
First Lieutenant, Seventh Cavalry, Adjutant.

James W. Forsyth, colonel Seventh Cavalry, in letter dated March 7, 1893, reiterates his recommendations in case of Garlington in greater detail:

"A line of sentinels were thrown around the Indian village, behind which ran a deep ravine. Capt. Garlington was in command of a small portion of this line, and in order to prevent escape into the high grass up this ravine leading into the foothills he ordered his party, in case the Indians made a break, to immediately gather behind the cut banks of a road crossing the ravine and to hold it at all hazards.

"As was anticipated, the Indians, upon the opening of the fight, rushed for the ravine, but Capt. Garlington with his party, having seized the road crossing, held it so well that not an Indian escaped in that direction without having to leave the ravine and thereby expose himself to a galling fire from other troops. As a consequence only a very few did escape.

"There was gathered with him there one officer, four noncommissioned officers, and five privates, but the shelter behind the banks of the road was of such a character that only about four men at a time could avail themselves of it and fire, whilst every time they fired they were partially exposed. However, Capt. Garlington promptly took his place among the fighting men and kneeling in plain view of Indians who, not 30 yards away, were pouring a galling fire into his little party, he continued the fight against overwhelming odds and held the ravine.

"Of the 11 men composing his party, 3 were killed and 3 wounded, but he held his position, emptied a Winchester rifle (private property with which he had armed himself before the fight) and then, taking the carbine of a private, he continued shooting (while the private supplied him with cartridges from behind) until he himself was knocked over by a bullet.

"He was finally led away, very weak from loss of blood. Sergt. Adam Neder, Troop A, Seventh Cavalry, who, in this same list with Lieut. Hawthorne, is granted a medal of honor, was a member of this party and was kneeling shoulder to shoulder with Capt. Garlington at the time he (Neder) was wounded."

Case No. 1616 (A. G. O. 493066). Weldon Railroad, Va., August 21, 1864. Capture of flag.

Extract of Gen. Meade's report (missing 932 P 1864), capture of Twenty-seventh South Carolina Regiment flag.

One medal awarded September 6, 1864.

1616. Anderson, Frederick C.

Case No. 2181 (1598433). Petersburg, Va., April 2, 1865. Rescue of wounded.

Maj. Gen. John G. Parke's report May 5, 1865, gives list of those prominently distinguished during recent campaign, with recommendation for award of medals of honor for their gallantry. These men are individually and specifically recommended, as follows:

No. 28 (2181). For rescuing wounded comrade under heavy fire.

No. 15 (2059). Gallantry in capturing colors of Fifty-seventh North Carolina Infantry.

No. 40 (1966). Capture of First Virginia Infantry colors.

No. 27 (2179). Rescue of wounded comrade under heavy fire.

Gen. Ainsworth, December 20, 1909, gives record.

December 21, 1909, Assistant Secretary of War Oliver awards medals for "conspicuous gallantry in action before Petersburg, Va., April 2, 1865."

Four medals issued January 28, 1910.

2181. Camp, Carlton N.

2059. Pinkham, Charles H.

1966. Chambers, Joseph B.

2179. Boutwell, John W.

Case No. 2571 (1114349 MS.). Near San Isidro, Philippine Islands, May 16, 1899. Distinguished gallantry in action. On this occasion 2571 and 21 other scouts charged across a burning bridge under heavy fire and completely routed 600 of the enemy who were entrenched in a strongly fortified position.

Adjutant General's record, March 29, 1906, application for medal of honor for 2571 made by Senator Fulton.

Copy recommendation for medal of honor, dated June 9, 1899, by J. E. Thornton, second lieutenant, Second Oregon Volunteers.

Affidavit, C. P. Davis and S. A. Galt.

Medal of honor board, convened Special Orders 218, paragraph 19, and Special Orders 231, paragraph 16, acted adversely.

Report of Gen. Lawton of engagement May 16, 1899; 21 names are mentioned for medal of honor.

April 4, 1906, Gen. Ainsworth gives list of those men who participated near San Isidro, Philippine Islands, May 16, 1899; the seven on the accompanying list are mentioned.

April 4, 1906, Acting Secretary of War Oliver awards medals to list of seven.

Seven medals issued April 20, 1906.

2571. Robertson, Marcus W.

2553. Kinne, John B.

2527. Boehler, Otto.

2556. Longfellow, Richard M.

2533. Davis, Charles P.

2572. Ross, Frank F.

2547. High, Frank C.

Case No. 1755 (A. G. O. 4914-94). McClellans Creek, Tex., November 8, 1874. Indian campaign. Most distinguished gallantry in action against Indians near McClellans Creek, Tex., November 8, 1874, attacking with two companies superior numbers of Indians in strong position and rescuing two white girls.

Adjutant General reports loss of original papers.

Original recommendation by Gen. Miles for medals of honor, dated March 26, 1894, disapproved by Adjutant General's Office letters, July 25 and 27, and August 21, 1894.

Letter, Gen. Miles, October 30, 1894, renews recommendations in cases specifically and individually in list below.

December 18, 1894, President directs award of medals to 12.

Twelve medals issued November 27, 1894.

1755. Baldwin, Frank D.

2211. Baird, George W., Nez Perces Indians, Bear Paw Mountain, September 30, 1877.

2228. Butler, Edmund, Wolf Mountain, Mont., January 8, 1877.

2235. Carter, Mason, Nez Perces, Bear Paw Mountains, September 30, 1877.

2238. Casey, James S., Wolf Mountain, Mont., January 8, 1877.

2314. Huggins, Eli L., Indians, O'Fallons Creek, Mont., April 1, 1880.

2349. Maus, Marion P., Sierra Madre Mountains, Mexico, Apache, January 11, 1886.

2354. McClermand, Edward J., Bear Paw Mountains, Mont., September 30, 1877.

2357. McDonald, Robert, Wolf Mountain, Mont., January 8, 1877.

2379. Moylan, Myles, Bear Paw Mountains, September 30, 1877, Nez Perces.

2281. Godfrey, Edward S., Bear Paw Mountain, September 30, 1877, Nez Perces.

2413. Romeyn, Henry, Bear Paw Mountain, September 30, 1877, Nez Perces.

Case No. 996 (492846). Services rendered during the war, 1861 to 1865.

September 30, 1865, Secretary Stanton returns application in behalf of 996 for appointment as surgeon, inviting attention to adverse report of Surgeon General. Indorsement, President Andrew Johnson, October 23, 1865, desires report if there is any law under which an honorary or complimentary brevet might be conferred?

October 30, 1865, brief, Judge Advocate General I. Holt.

Slip, dated November 13, 1865, notation to Chief Clerk Potts for engraving of medal.

November 24, 1876, 996 sends printed copy of testimonial given her by President Andrew Johnson citing valuable services rendered to the Government. Testimonial shall hereby be made and given to 996, and that the issue of medal of honor for meritorious services be given her.

April 16, 1872, certificate, E. D. Townsend to the effect that medal of honor was given to 996; also testimonial on parchment recommending her for professional and other services caring for sick and wounded soldiers, prisoners of war, etc.

August 10, 1865, Ed. E. Phelps, M. D., professor of medicine, Dartmouth College, commendatory letter in regard to 996's services and record. Indorsement Surg. Gen. J. K. Barnes adverse.

Indorsement, August 8, 1865, R. E. Penton: From personal observation knows something of the good services of 996. States reputation entitles her to further recognition by the General Government.

August 4, 1865, indorsement President Andrew Johnson: "It would seem from the recommendations presented by 996 that she has performed service deserving the recognition of the Government, which I desire to give if there is any way in which, or precedent by which, this may be done."

January 24, 1866, receipt of medal acknowledged by 996.

One medal issued January 24, 1866.

996. Walker, Dr. Mary E.

Case No. 2621 (A. G. O. 229350). Tayabacoa, Cuba, June 30, 1898. Rescue of wounded.

Report of C. P. Johnson, first lieutenant, Tenth Cavalry, dated February 18, 1899, recommends for medals of honor for conspicuous bravery.

Col. Whiteside, April 19, 1899, in indorsement mentions act as extraordinarily hazardous and conspicuous.

Gen. Frank's indorsement: "Approved."

Acting Secretary of War approves proceedings of brevet board in this case. Four medals prepared and issued June 23, 1899.

2621. Wanton, George H.

2595. Bell, Dennis.

2610. Lee, Fitz.

2620. Thompsons, William H.

Case No. 2615 (A. G. O. 144253). Santiago, Cuba, July 1, 1898. Rescue of wounded.

Recommendation September 9, 1898, by company commander, Capt. J. F. Stretch, Tenth Infantry.

Indorsements: Recommended by Col. T. M. K. Smith, regimental commander; Col. E. P. Pearson; Gen. Adelbert Ames; Gen. Bates.

Referred to brevet board.

Secretary of War approves brevet board's proceedings and recommendations. Five medals issued, June 22, 1899.

2615. Poland, Alfred.

2599. Cantrell, Charles P.

2601. Cummins, Andrew J.

2608. Keller, William.

2612. Nash, James J.

Case No. 2619 (A. G. O. 134542). El Caney, Cuba, July 1, 1898. Rescue of wounded.

Recommendation August 30, 1898, of Capt. Kendrick, Seventh Infantry Battalion commander, for certificate of merit.

In indorsement to brevet board Lieut. H. M. Dickman, June 6, 1899, states Nos. 2619 and 2617 voluntarily went to rescue under fire.

Acting Secretary of War approves medals for these men.

Two medals issued August 21, 1899.

2619. Shepherd, Warren J.

2617. Ressler, Norman W.

Case No. 2102 (A. G. O. 503390). Dardanelle, Ark., January 14, 1865. Personal gallantry in action.

General Order No. 10, Cavalry Division, Seventh Corps, dated February 1, 1865, by Gen. J. R. West.

Letter of Gen. J. R. West, February 3, 1865, recommends medals.

Indorsement of Gen. J. J. Reynolds approves, February 3, 1865.

Two medals issued March 8, 1865.

2102. Ellis, William.

2509. Robinson, James H.

Case No. 2448 (AGO 293 T-1870). Wichita River, Tex., July 12, 1870. Gallantry in action.

C. B. McClellan, captain, Sixth Cavalry, report, July 16, 1870, makes especial mention of conspicuous acts of bravery during the engagement.

Col. Oakes's letter, July 17, 1870, notes everyone mentioned deserving of highest commendation and praise; forwarded by colonel, Twenty-fifth Infantry, J. J. Reynolds, and H. W. Halleck, major general, commanding.

August 24, 1870, Townsend, Adjutant General, directs medals given to the list. Thirteen medals issued August 25, 1870:

2448. Stokes, Alonzo.

2243. Connor, John.

2262. Eldridge, George H.

2277. Given, John J.

2330. Kerrigan, Thomas.

2332. Kirk, John.

2350. May, John.

2387. Neal, Solon D.

2400. Porter, Samuel.

2430. Smith, Charles E.

2471. Watson, James C.

2490. Windus, Claron A.

2491. Winterborrom, William.

Case No. 2481 (AGO 11524-1877). Little Muddy Creek, Mont., May 7, 1877, and Camas Meadows, Idaho, August 20, 1877. Bravery in actions with Indians.

Recommendation for medals for four men, October 18, 1877, for conspicuous courage and gallantry in several engagements, cited in each case.

Indorsement October 21, 1877. Maj. J. S. Brishin's approval.

Approved by department and division commanders.

Gen. W. T. Sherman approves medals.

Townsend, Adjutant General, February 28, 1878, orders issue.

Four medals issued, February 28, 1878, to the four named:

2481. Wilkins, Henry.

2241. Clark, Wilfred.

2272. Garland, Harry.

2233. Jones, William H.

Case No. 2363 (AGO 4148-1872). Indian campaigns, September 29, 1872. Red River, Tex. Gallantry in action.

Gen. Sheridan's report, October 15, 1872.

Report, dated October 12, 1872, specifically recommends medals for list of soldiers.

Gen. Sheridan's indorsement, November 4, 1872, recommends medals for list.

Gen. W. T. Sherman's indorsement, November 15, 1872, recommends medals.

Gen. Sherman's General Order No. 99, November 19, 1872, publishes award of medals to list. Officers also recommended, but no medals awarded.

Nine medals issued, November 19, 1872, to list named:

2363. McMasters, Henry A.	2394. O'Neill, William.
2219. Branagan, Edward.	2402. Pratt, James.
2270. Foster, William.	2406. Rankin, William.
2337. Larkin, David.	2487. Wilson, William.
2366. McNamara, William.	

Case No. 2390 (4734-1874). Whetstone Mountains, Ariz., July 13, 1872. Gallantry in action.

The records lost in shifting and loaning papers years ago.

Extracts from Adjutant General's office on record slip.

Four medals issued December 4, 1874:

2390. Newman, Henry.	2391. Nihill, John.
2223. Brown, James.	2280. Glynn, Michael.

Case No. 962 (A. G. O. 469679). Hatcher's Run, Va., October 27, 1864. Remained after term service expired and participated in battle.

Letter, Col. C. H. Smith, United States Army retired, dated February 11, 1897, to Adjutant General gives full record with reference to official reports of Maj. Thaxter's superior officers.

Secretary of War indorsement, August 9, 1897, directs award medal.

Report Chief Record and Pension Office, February 17, 1897.

Gen. McGregg's reports November 4, 1864, and November 10, 1864, "Conspicuous for gallantry."

Col. C. H. Smith, commanding brigade report October 31, 1864, "Was very conspicuous in this charge."

One medal issued September 10, 1897.

962. Thaxter, Sidney W.

Case No. 1337 (336499). Chancellorsville, Va., May 2-3, 1863. Distinguished gallantry while holding with his command an advanced position against repeated assaults by a strong force of the enemy; was severely wounded.

In series 1, volume 25, Part I:

Report Gen. Couch, page 306, May 9, 1863.

Report Gen. Hancock, page 318-321 (311-316), May 19, 1863.

Report Gen. Caldwell, May 12, 1863.

Application made by friends of this officer, supported by letter of Gen. Couch, May 16, 1892, late commanding Second Army Corps. The Sixty-first New York served in the First Brigade, First Division, Second Army Corps. The division was commanded by Gen. Hancock, and the brigade by Gen. Caldwell. Case investigated by Record and Pension Office. Extracts of official reports making special mention of this officer were duly verified by the Record and Pension office, and award of the medal was recommended by Gen. Schofield for distinguished gallantry at Chancellorsville.

Secretary of War, July 14, 1892, orders award of medal.

Medal issued July 23, 1892.

1337. Nelson A. Miles, United States Army.

Case No. 1182 (A. G. O. 1339 A. 87). Campaign of the Army of the Potomac, 1865. Gallantry in action, conspicuous.

Report of John G. Parke, major general commanding, recommends list specifically for conspicuous gallantry, February 21, 1865.

Most of these papers apparently lay without action in the War Department until 1896. About five were awarded between 1865 and 1874 and the remainder in 1896, except one in 1897.

August 16, 1865, Maj. Gen. Meade forwards "approved."

Thirty-three medals issued July 30, 1896.

1182. Burbank, James H.	1189. Gaylord, Levi B.
1183. Alber, Frederick.	1190. Haight, Sidney.
1184. Beddows, Richard.	1191. Hadley, Osgood T.
1185. Cohn, Abraham.	1192. Homan, Conrad.
1186. DePuy, Charles H.	1193. Judge, Francis W.
1187. Dodd, Robert F.	1194. Kinsey, John.
1188. Falconer, John A.	1195. Knight, Charles H.

- | | |
|---------------------------------------|----------------------------|
| 1196. Ludwig, Carl. | 1205. Starkins, John H. |
| 1197. Mahoney, Jeremiah. | 1206. Taylor, Joseph. |
| 1198. Manning, Joseph S. | 1207. Thatcher, Charles M. |
| 1199. McFall, Daniel. | 1208. Thompson, Charles A. |
| 1200. Noll, Conrad. | 1209. Wageman, John H. |
| 1201. Rossbach, Valentine. | 1210. Whitman, Frank M. |
| 1202. Sivel, Henry (Matthews, Wm. H.) | 1211. Wilcox, William H. |
| 1203. Simons, Charles J. | 1251. Haskell, Marcus M. |
| 1204. Schneider, George. | 1613. Welsh, James. |

Case No. 1487 (A. G. O. 468465). Gettysburg, Pa., July 2, 1863. With five volunteers gallantly charged log house. "Devil's Den."

Application of Congressman Kulp, January 29, 1897, for medal of honor for 1487.

Letter A. Jameson, December 24, 1896.

Letter Lieut. Connor, Sixth Pennsylvania, January 8, 1897.

Letter William D. Dixon, Twenty-seventh Pennsylvania, Lieutenant colonel, December 24, 1896, all contained in Adjutant General's report furnished February 3, 1897, signed by Col. Ainsworth.

Secretary of War, February 9, 1897, directs medals of honor be issued and names of other men of the party be obtained for award.

Medal issued February 16, 1897.

Case No. 1485 (A. G. O. 613597). Same as above case 1487.

Record furnished by Adjutant General, page 7, contains names of 1486, 1488, 1489, and 1473.

These cases are all for the same event and evidence similar.

Five medals issued August 8, 1900.

Six medals issued in all.

1487. Mears, George W. (A. G. O. 468465).

1485. Johnson, Wallace W. (A. G. O. 613597).

1486. Hart, John W. (with Johnson).

1488. Roush, J. Levi (A. G. O. 480627).

1489. Smith, Thaddeus S. (A. G. O. 581654).

1473. Furman, Chester S. (A. G. O. 472297).

Case No. 1446 (A. G. O. 489232). Elk River, Tenn., July 2, 1863. Captured stockade and saved bridge.

Report of W. H. Calkins, late first Lieutenant Company E, One hundred and fourth Illinois Volunteers, and aide-de-camp to Gen. Beatty, asks for medals of honor for this man; incloses affidavit August 2, 1897.

Extract Gen. Beatty's report July 6, 1863; also Gen. Negley's July 2, 1863.

Extract military record furnished August 6, 1897, by Col. Ainsworth.

Affidavit Douglas Hapeman, Lieutenant colonel One hundred and fourth Illinois, August 20, 1897.

Affidavit Capt. W. H. Calkins August 25, 1897.

Secretary of War, August 30, 1897, awards medal to above.

Medal issued September 17, 1897.

1446. Marsh, George.

Case No. 1480 (496521). Elk River, Tenn., July 2, 1863. Captured stockade and saved bridge.

Letter W. H. Calkins October 19, 1897, to Secretary of War requesting award medals to five named.

Col. Ainsworth, October 25, 1897, furnishes military record in the cases of the five named.

Affidavit Douglas Hapeman, late colonel One hundred and fourth Illinois, November 2, 1897.

Affidavit W. H. Calkins, late captain, Company D, One hundred and fourth Illinois, October 14, 1897.

Affidavit of 1478.

Affidavit of 1479.

Secretary of War, October 30, 1897, by direction of the President, awarded medals to these five men for capturing stockade and saving bridge while exposed to heavy artillery and musketry fire.

Five medals issued October 30, 1897.

1480. Shapland, John.

1481. Slagle, Oscar.

1482. Smalley, Reuben S.

1478. Gage, Richard J.

1479. Holland, Lemuel F.

Case No. 1493 (AGO 435777). In charge guns and ammunition of battery on steamer *Cheeseman* when she was unmanageable and under heavy fire. Grand Gulf, Miss., April 29, 1863.

Two affidavits: Elisha Cole, first lieutenant Battery A, First Missouri Light Artillery; and Henry A. Hammel, first sergeant, Battery A, dated April 2, 1895.

Congressman Joy sends application April 2, 1895.

Extract official War Department record, furnished December 19, 1895, by Col. Ainsworth; further extracts furnished February 25, 1896, by Col. Ainsworth, Chief Record and Pension Office. Extracts of Grant's Memoirs, volume 1, page 470; subscribed to by First Lieut. (Battery A) Elisha Cole.

Resubmission to the Secretary of War. Award was made by direction of the President March 4, 1896, for distinguished gallantry in action at the bombardment of Grand Gulf, April 29, 1863, volunteers on board steamer *Cheeseman*.

Three medals issued March 10, 1896.

1493. Pesch, Joseph.

1494. Guerlin, Fritz W.

1495. Hammel, Henry A.

Case No. 1457 (AGO 479204). Nolensville, Tenn., February 15, 1863. Defended wagon train against 125 of the enemy and saved it.

Letter of J. W. Bishop, late colonel Second Minnesota Volunteer Infantry, dated May 7, 1897, to Adjutant General—worthy of award for gallantry, meritorious conduct, etc. Inclosed report February 15, 1863, of Brig. Gen. J. B. Steadman, also report of Col. VanDerveer.

Adjutant General, July 29, 1897, gives military records of inclosed list.

Col. Ainsworth gives record of 1475 in report dated May 18, 1897.

July 30, 1897, Secretary of War, by direction of the President, awards medal to 1475.

July 30, 1897, Secretary of War, by direction of the President, awards medal to others on list.

Eight medals issued September 11, 1897.

1457. Burger, Joseph.

1458. Clark, William A.

1459. Flannigan, James.

1460. Hanna, Milton.

1461. Holmes, Lorilo N.

1462. Pay, Bryon E.

1463. Vale, John.

1464. Wright, Samuel.

Case No. 2259. Indian campaign. Agua Fria River, Ariz., August 25, 1869 (AGO 104 P-1870).

Capt. Kaufman submits list of three for medals for engagement with Apaches. Charles Hobart, commanding L Troop, recommends nine for medals; gives specific acts in action.

Frank Wheaton, brevet major general, lieutenant colonel, Twenty-first Infantry, forwards list names of men who deserve reward for gallantry in action.

George H. Thomas forwards to Adjutant General recommended.

First Lieut. Robert Carrick, Eighth Cavalry, recommends eight men; forwarded by Frank Wheaton, major general Twenty-first Infantry, commanding, approved and recommended.

Adjutant General prepares medals of honor for list awarded by Secretary of War, dated March 3, 1870.

Twenty medals issued March 3, 1870.

2259. Donavan, Cornelius.

2218. Bradbury, Sanford.

2245. Corcoran, Michael.

2247. Crist, John.

2274. Gates, George.

2283. Goodman, David.

2293. Hamilton, Frank.

2301. Haupt, Paul.

2325. Kay, John.

2347. Mahers, Herbert.

2372. Mitchell, John J.

2375. Moran, John.

2383. Murphy, Phillip.

2384. Murphy, Thomas.

2404. Raerick, John.

2415. Rowalt, John F.

2419. Sale, Albert.

2443. Stanley, Edward.

2447. Stickoffer, Julius H.

2472. Watson, Joseph.

Case No. 2410. Indian campaign. Cedar Creek, Mont., October 21, 1876, to January 8, 1877. (A. G. O. 8440, P. R. D. 1890.)

Gen Miles's report to Adjutant General, February 9, 1877, contains list of recommendations for medals honor.

Robert H. K. Bailey, second lieutenant, Fifth Infantry, recommends 2230.

Letter of Nelson A. Miles corrects name of John McCormick to Michael McCormick.

Second Lieut. J. N. Pope, Fifth Infantry, February 6, 1877, recommends 2367.

Report of E. Butler, captain, Fifth Infantry, recommends for certificate of merit 2478; approved by Terry and Sheridan; not granted on account of previous issue of medal.

In 1890 more specific data was requested from commanding officer with reference to the award.

Col. Osborne's indorsement forwards records furnished by the troops.

Request of Adjutant General to have medals engraved.

Secretary of War directs award of medals.

Twenty-nine medals issued April 27, 1877.

2410. Roche, David.	2352. McCann, Bernard.
2226. Burke, Richard.	2355. McCormick, Michael.
2229. Byrne, Denis.	2359. McGar, Owen.
2230. Cable, Joseph A.	2360. McHugh, John.
2232. Calvert, James S.	2371. Miller, George.
2244. Coonrod, Aquilla.	2362. McLoughlin, Michael.
2260. Donelly, John S.	2367. McPhelan, Robert.
2271. Freemeyer, Christopher.	2373. Montrose, Charles H.
2291. Haddoo, John.	2411. Rodenburg, Henry.
2308. Hogan, Henry.	2418. Ryan, David.
2311. Holland, David.	2427. Sheppard, Charles.
2316. Hunt, Fred O.	2466. Wallace, William.
2322. Johnston, Edward.	2478. Whitehead, Patton G.
2329. Kennedy, Philip.	2484. Wilson, Charles.
2335. Kreher, Wendelin.	

Case No. 2340. Indian campaign. Little Blue, Nebr., May 15, 1870. (A. G. O. 758, M-1870.)

Capt. E. J. Spalding, Second Cavalry, May 23, 1870, in letter recommends list to the notice of the department commander.

General Order 21, Department Platte, issued by Gen. Augur.

Secretary of War's notation gives each of list medal of honor, June 22, 1870.

Five medals issued June 22, 1870.

2340. Leonard, Patrick.	2313. Hubbard, Thomas.
2233. Canfield, Heth.	2455. Thompson, George W.
2306. Himmelsback, Michael.	

Case No. 2242. Pinito Mountains, Sonora, Mexico, May 3, 1886. Rescue wounded.

Extract Gen. Miles's report dated September 18, 1886.

February 6, 1891, Gen. Mizner writes Adjutant General requesting medal honor for 2242.

In indorsement recommended by Gen. Schofield for medal for very gallant conduct above described.

Secretary Proctor, March 3, ordered award of medal.

One medal issued March 12, 1891.

2242. Clark, Powhatan H.

Case No. 51. Wood, R. H., and three others of same regiment, four medals. Items Nos. 1155 to 1158, both inclusive. All for action at Vicksburg, Miss., May 22, 1863.

1155. Wood, R. H., captain, Company A, Ninety-seventh Illinois Volunteers. Led the volunteer storming party, which made a most gallant assault upon the enemy's works. Records and Pensions 434317 contains report on this case, based on statement of claimant, statement of W. W. Frazier, Company I, Ninety-seventh Illinois, and a member of same party; a statement of Gen. Vifquain, late colonel of the regiment, and an eyewitness of the charge led by Capt. Wood. The Ninety-seventh Illinois belonged to the Thirteenth Army Corps, and not the Fifteenth Army Corps, which furnished the famous volunteer storming party of 150 men. No official record of the conduct of Capt. Wood. (See p. 41.)

1156. Frazier, W. W., private, Company I, Ninety-seventh Illinois. Gallantry in the charge of the volunteer storming party. Records and Pensions 428812 contains report based on letter of Gen. Vifquain; affidavit of Capt. Wood, who recalls names of nine members of the party; and statement of Frazier

himself. No official record has been found that soldier was a member of the "forlorn hope," though it is of record that his regiment was before Vicksburg on the date named and participated in the assaults. One medal issued October 24, 1895. (See p. 41.)

1157. Colby, Carlos N., corporal, Company G, Ninety-seventh Illinois, was a member of the volunteer storming party which made a most gallant assault upon the enemy's works. Records and Pensions 436965 contains report based on claimant's statement and Capt. Wood's affidavit. No official record. One medal issued January 31, 1896.

1158. Dickie, David, sergeant, Company A, Ninety-seventh Illinois. Member of same party. Records and Pensions 437024 makes report; basis same as above item. One medal issued January 29, 1896.

The above is the case of a storming party led by Capt. Wood, and consisting of one lieutenant and 20 men.

Case No. 2416. Indians. Little Big Horn, Mont., June 25, 1876. (10618-A-78.)

Commanding officer Seventh Cavalry, August 21, 1878, transmits list recommended by the board for bravery and distinguished conduct.

Proceedings are approved and recommended by commander Department of Dakota, Military Division of the Missouri.

Proceedings of a board of which Col. Sturgis was president.

Recommendation of troop commander—long list.

Returned to Seventh Cavalry commander to revise, giving only those most distinguished in conspicuous acts of gallantry in action.

Revised list approved by Gen. Terry, Lieut. Gen. Sheridan, and Assistant Adjutant General orders issue.

Twenty-two medals issued October 5, 1878.

2416. Roy, Stanislaus.

2212. Bancroft, Neil.

2220. Brant, Abram B.

2248. Criswell, Benjamin.

2251. Cunningham, Charles.

2254. Deetline, Frederick.

2275. Geiger, George.

2295. Hanley, Richard P.

2298. Harris, David W.

2299. Harris, William M.

2310. Holden, Henry.

2317. Hutchinson, Rufus D.

2346. Machlin, Henry W. B.

2385. Murray, Thomas.

2408. Pym, James.

2423. Scott, George.

2446. Stevens, Thomas W.

2457. Thompson, Peter.

2459. Tolan, Frank.

2463. Voit, Otto.

2475. Welch, Charles H.

2489. Windolph, Charles.

Case No. 2613. Rescue of wounded. Santiago, Cuba, July 1, 1898.

Capt. Daniel Cornman, Twenty-first Infantry, and First Lieut. A. L. Parmerter recommend each man particularly and specifically.

Forwarded recommending favorable consideration by major commanding regiment.

Forwarded by W. H. Boyle.

Forwarded to Adjutant General by Gen. Shafter; no recommendation.

Secretary of War, April 19, 1899, approves recommendations of brevet board.

Six medals issued June 22, 1899.

2613. Nee, George H.

2609. Kelly, Thomas.

2604. Fournla, Frank O.

2603. Doherty, Thomas M.

2602. De Swan, John F.

2614. Pfisterer, Herman.

Case No. 971 (42461 P.R.D.-92). Indian campaign, Big Horn, Mont., July 9, 1876.

Carried dispatches to Gen. Crook through country occupied by Sioux at imminent risk of life.

Records show Field Orders No. 5, Department of Dakota, July 26, 1876.

Adjutant General's indorsement states that these men have been awarded a medal.

Three medals issued December 2, 1876.

971. Bell, James.

972. Evans, William.

973. Stewart, Benjamin F.

Case No. 2606 (A. G. O. 169210-1899). Rescue of wounded at El Caney, Cuba, July 1, 1898.

Report, dated September 2, 1898, of Gen. Chaffee.

Report, dated August 12, 1898, of Maj. O'Brien, commanding Seventeenth Infantry.

Certificates of Lieut. Hardaway, November 19, 1898.

Certificate of Lieut. Roberts, November 29, 1898.

Secretary of War, April 19, 1899, in indorsement approves proceedings of brevet board for medals of honor for list.

Seven medals issued June 21, 1899.

2606. Hardaway, Benjamin F.

2598. Buzzard, Ulysses G.

2623. Wende, Bruno.

2596. Brookins, Oscar.

2618. Roberts, Charles D.

2597. Burg, George.

2605. Graves, Thomas J.

Case No. 2142. Detachment 20. Artillerymen who turned captured guns on enemy. Petersburg, Va., April 2, 1865.

Report, April 14, 1865, to Adj. Gen. Whittlesay by Andrew Cowan, brevet major, commanding brigade, recommends list for gallant and meritorious conduct, commending detachment of cannoneers in the assault front of Petersburg, April 2, 1865, and turning captured guns upon the enemy.

Medals recommended by Townsend.

Letter of George W. Adams, major Rhode Island Light Artillery, April 23, 1866, to Hon. Thomas A. Jenckes gives list of names, Battery G, who assisted in assault. States that they were particularly recommended by Gen. Wright, H. J. Hunt (chief of artillery), Gen. Meade, and Gen. Grant as being worthy of medals.

Extract battle report of Battery G, First Rhode Island Light Artillery.

Seven medals issued June 20, 1866.

2142. Barber, James A.

2146. Lewis, Samuel E.

2143. Corcoran, John.

2147. Molbone, Archibald.

2144. Ennis, Charles D.

2148. Potter, George W.

2145. Havron, John H.

Cases Nos. 2250 and 2208. Indians, San Carlos, Ariz., May 30, 1868.

General Order No. 3, specially commends for bravery and good conduct. By order of T. C. Devon, dated June 16, 1868.

Indorsement Secretary of War orders issue of medals of honor to these men.

Two medals issued July 28, 1868.

2250. Cubberly, William G.

2208. Aston, Edgar R.

Case No. 2137. Capture guns, flags, etc., Sailors Creek, Va., April 6, 1865.

Letter of Brig. Gen. H. E. Davies, jr., to Adj. Gen. Weir, April 16, 1865, recommends 2137 for medal; Sailors Creek, Va., charging and driving cannoneer from field piece and capturing two prisoners and gun. Gives list of names and recommends specifically the officers and enlisted men who distinguished themselves in engagements.

Affidavit of Corpl. Patrick, Fifty-sixth Massachusetts, dated July 19, 1865, showing that medal of Llewellyn P. Norton was lost; duplicate issued.

Secretary of War forwards medals for delivery to inclosed list.

Ten medals issued.

2132. Bringle, Andrew.

2130. Wilson, John.

2078. Southard, David.

2110. Hooper, William B.

2137. Norton, Llewellyn P.

2115. Porter, William.

2123. Titus, Charles.

2101. Cary, James L.

1941. Wilson, Charles E.

2088. Tompkins, Aaron B.

Case No. 1075. Volunteer storming party, Vicksburg, Miss., May 22, 1863.

Letter of Secretary of War J. B. Doe to 1075 inquires whether or not he was a member of volunteer storming party.

Reply of 1075 that he was a member of that party.

Second indorsement shows, without solicitation, medal awarded to 1075 for most distinguished gallantry at Vicksburg, Miss.

Assistant Secretary directs issue.

Eighty-two medals issued August 10, 1895, and other dates.

Case No. 50. Christian, Albert, and 79 others, 82 medals. Items Nos. 1075 to 1155, both inclusive. "The Volunteer Storming Party."

Christian Albert, William Archinal, Clinton L. Armstrong, David Ayers, John G. K. Ayres, William H. Berringer, Matthew Bickford, Thomas A. Blasdel,

Emmer Bowen, Uriah Brown, John C. Buckley, Henry G. Buhrman, William Bumgarner, William Campbell, William W. Chisman, John W. Conaway, Robert M. Cox, James S. Cunningham, Martin K. Davis, David F. Day, Richard W. DeWitt, John N. Eckes, John H. Fisher, James E. Flynn, Joseph Frantz, Franz Frey, Henry F. Frizzell, Nicholas Geschwind, Andrew E. Goldsbery, Newton T. Gould, Thomas Guinn, Sampson Harris, David H. Helms, James Henry, Lewis T. Hunt, Theodore Hyatt, James Jardine, William John, Elisha Johns, Andrew Johnson, David Johnston, David Jones, Jos. S. Labill, James W. Larrabee, William H. Longshore, Robert A. Lower, James M. McClelland, Andrew McCormack, Edw. McGinn, Wilson McGonagle, Jacob C. Miller, Jerome Morford, Jasper N. North, John O'Dea, Jacob H. Overturf, Joel Parsons, Platt Pearsall, William Reed, Louis Renninger, Frederick Rock, Charles W. Rundle, Jacob Sanford, Benjamin W. Schenck, Andrew Schmauch, Christian Schnell, Reuben Smalley, Benona Sprague, William Stelnmetz, George H. Stockman, Frank Stoltz, James C. Summers, Jacob Sweghelmer, William Toomer, Howell G. Trogden, John W. Wagner, Thomas J. Ward, John Warden, Edw. Welsh, Andrew J. Widick, Joseph Wortick.

The authority for award in this case seems to be the reports in the official records of the Civil War, of which extracts are given in pages appended hereto, and the official list of the storming party of the Second Division, Fifteenth Army Corps (commanded by Maj. Gen. Frank P. Blair, jr.) led by Capt. J. H. Groce, Thirtieth Ohio Infantry, in the assault on the works near Vicksburg, Miss., May 22, 1863, printed in O. R. Serial No. 109, pages 62 to 64. Letters of inquiry appear to have been sent out by the Assistant Secretary of War in 1894, asking individuals for information as to their participation in this assault. See case of Elisha Johns, in this group, for the letter referred to, and for standard form of indorsement often used in these cases.

The regiments furnishing volunteers in this assault were as follows: Sixth Missouri, Eighth Missouri, One hundred and thirteenth Illinois, One hundred and sixteenth Illinois, Fifty-fifth Illinois Volunteers, Fifty-seventh Ohio Volunteers, Eighty-third Indiana Volunteers, One hundred and twenty-seventh Illinois Volunteers, Fifty-fourth Ohio Volunteers, Forty-seventh Ohio Infantry, Fourth West Virginia Infantry, Thirtieth Ohio Infantry, Thirty-seventh Ohio Infantry. Seventy-nine of the names given in the medal of honor list as having received medals for participation in this assault appear in the printed list above referred to, but the name of one man, viz, James E. Flynn, Sixth Missouri, does not appear in this printed list. The award to this man appears to be based on affidavits of two members of Flynn's company. A report prepared in the Pension Office (R. and P. 388821) states, "His name is not found on the lists of members of his regiment who served with the storming party on the occasion referred to, but the evidence of a private and second lieutenant of Flynn's company, and of the lieutenant colonel of his regiment, appear to prove the claimant to have been present in the action referred to."

A pertinent extract bearing on this case in general is taken as follows from a letter of Maj. John A. Bering, September 18, 1894, in the case of Isaac Carman, Fifty-eighth Ohio Infantry Volunteers, for gallant action at Vicksburg, Miss., May 22, 1863 (see Case No. 52, R. and P. 397540): "There were nine divisions engaged in the charge on May 22. * * *. Eight generals in command of divisions sent their skirmishers to take the advance, the same as in every battle of the campaign, but Gen. Blair called for 150 volunteers from his division to take the advance and act as a storming party to cover the front of his division only. By that plan he did not accomplish any more than the other eight division commanders. In fact, he did not accomplish as much, as his division did not capture a fort nor a single prisoner. According to the official records his loss among the storming party was no greater than the loss among the skirmishers who led the way in front of the other divisions, and yet Blair's storming party gets all the credit and all the medals for the three Army corps engaged in the charge."

Extract from report of Maj. Gen. Frank P. Blair, commanding Second Division, Fifteenth Army Corps, dated before Vicksburg, Miss., May 24, 1863 (pp. 257-260, Pt. II, vol. 24, Series I) (Serial No. 37, O. R., Union and Confederate Armies):

"On the 22d (May, 1863) I received an order to renew the assault at 10 o'clock in the morning. I mustered my division in the ravine to the left of the Grave Yard Road, where it debouches upon that road as it passes across the valley immediately in front of the bastion. A volunteer storming party, consisting

of 2 officers and 50 men from each brigade of the division was to lead the assault * * *. At the signal, the volunteer storming party, led by Capt. John H. Groce, of Gen. Ewing's brigade, dashed forward in gallant style and planted the flag of the Union, which was borne by Pvt. Howell G. Trogden, of the Eighth Missouri, upon the bastion of the enemy * * *, and I would recommend that the medal of honor voted by Congress be presented to all the enlisted men mentioned; also to all the noncommissioned officers and privates composing the storming party on the 22d."

Extract from report of Brig. Gen. Hugh Ewing, commanding Third Brigade, Second Division, Fifteenth Army Corps, dated battle field near Vicksburg, Miss., May 27, 1863. (Pp. 282-283, O. R. 37) :

"At 10.04 a. m. on the 22d (May, 1863) a storming party composed of 50 volunteers from each brigade of the division, bearing the colors of my headquarters and followed by my troops in column, charged down the narrow, deep-cut road upon a bastion of the enemy's works. They were instructed to bear to the left and cross the curtain of the ditch as the salient could not be bridged. They made a footpath at the salient, by which Capt. John H. Groce, commanding, Lieut. O'Neal, Pvt. Trogden, the color bearer, and others crossing, climbed half way up the exterior slope, and planted the flag upon it unfurled. * * * I inclose a list of the volunteer storming party from this brigade."

(NOTE.—A list of the men of the Second Division, Fifteenth Army Corps, who formed the storming party in the assault on the works of Vicksburg, Miss., May 22, 1863, will be found on pages 62 to 64, in part 1, volume 52, series 1, O. R. of the Union and Confederate Armies.)

Volunteer storming party, May 22, 1863, Vicksburg, Miss. :

- | | |
|-----------------------------|-----------------------------|
| 1075. Albert, Christian. | 1115. Johnston, David. |
| 1076. Archinal, William. | 1116. Jones, David. |
| 1077. Armstrong, Clinton L. | 1117. Labill, Joseph S. |
| 1078. Ayres, David. | 1118. Larrabee, James W.** |
| 1079. Ayres, John G. K. | 1119. Longshore, William H. |
| 1080. Barringer, William H. | 1120. Lower, Robert A. |
| 1081. Bickford, Matthew. | 1121. McClelland, James M. |
| 1082. Blasdell, Thomas A. | 1122. McCornack, Andrew. |
| 1083. Bowen, Emmer. | 1123. McGinn, Edward. |
| 1084. Brown, Uriah. | 1124. McConagle, Wilson. |
| 1085. Buckley, John C. | 1125. Miller, Jacob. |
| 1086. Buhrman, Henry G. | 1126. Morford, Jerome. |
| 1087. Bumgarner, William. | 1127. North, Jasper N. |
| 1088. Campbell, William. | 1128. O'Dea, John. |
| 1089. Chisman, William W. | 1129. Overturf, Jacob H. |
| 1090. Conaway, John W. | 1130. Parsons, Joel. |
| 1091. Cox, Robert M. | 1131. Pearsall, Platt. |
| 1092. Cunningham, James S. | 1132. Reed, William. |
| 1093. Davis, Martin K. | 1133. Renninger, Louis. |
| 1094. Day, David F. | 1134. Rock, Frederick. |
| 1095. De Witt, Richard W. | 1135. Rundle, Charles W. |
| 1096. Eeeks, John N. | 1136. Sanford, Jacob. |
| 1097. Fisher, John H.** | 1137. Schenck, Benjamin W. |
| 1098. Flynn, James E. | 1138. Schmauch, Andrew. |
| 1099. Frantz, Joseph. | 1139. Schnell, Christian. |
| 1100. Fraser William W. | 1140. Smalley, Reuben. |
| 1101. Frey, Franz. | 1141. Sprague, Benona. |
| 1102. Frizzell, Henry F. | 1142. Steinmetz, William. |
| 1103. Geschwind, Nicholas.* | 1143. Stockman, George H.* |
| 1104. Goldsberg, Andrew E. | 1144. Stoltz, Frank. |
| 1105. Gould, Newton T. | 1145. Summers, James C. |
| 1106. Gwinn, Thomas. | 1146. Swegheimer, Jacob. |
| 1107. Harris, Sampson. | 1147. Toomer, William. |
| 1108. Helms, David H. | 1148. Trogden, Howell G.* |
| 1109. Henry, James. | 1149. Wagner, John W. |
| 1110. Hunt, Lewis T. | 1150. Ward, Thomas J. |
| 1111. Hyatt, Theodore. | 1151. Warden, John. |
| 1112. John, William. | 1152. Welsh, Edward. |
| 1113. Johns, Elisha. | 1153. Widick, Andrew J. |
| 1114. Johnson, Andrew. | 1154. Wortick, Joseph. |
| | 1155. Wood, Richard H. |

Case No. 1068 (395058). Vicksburg, Miss., May 22, 1863. Carried and fired cannon through embrasure.

Adjutant general's record of October 23, 1894, shows these men to have been with the Chicago Mercantile Battery, Illinois Light Artillery; enrolled 1862 to muster out 1865.

Records also show, May 22, 1863, one brass piece was advanced by the battery and fired through the embrasure, at Vicksburg, Miss.

Patrick H. White, late captain Chicago Mercantile Battery, in letter of November 5, 1894, states that the acts were performed by list and same were voluntary.

Five medals issued January 15, 1895.

1068. White, Patrick H.

1071. McGuire, Patrick.

1069. Dunne, James.

1072. Stephens, William G.

1070. Kloth, Charles H.

Case No. 1073 (478246). Vicksburg, Miss., May 22, 1863. Carried and fired cannon through embrasure.

Capt. White applies for medal honor for 1073.

Application indorsed by Lieut. F. T. Meachem, Chicago Mercantile Battery, April 25, 1897.

Adjutant general's record, May 5, 1897, shows 1073 to have been a member of this battery.

One medal issued July 20, 1897.

1073. Kretsinger, George.

Case No. 1074 (504860). Vicksburg, Miss., May 22, 1863. Carried and fired cannon through embrasure.

1074 applied for medal honor, having learned that medals had been issued to 1073 and 1068 et al. January 4, 1898.

Adjutant general, January 18, 1898, gives military record.

Secretary of War Alger, March 22, 1898, awards medal.

One medal issued April 4, 1898.

1074. Putnam, Winthrop D.

Case No. 1159. Vicksburg, Miss., May 22, 1863. Saved regimental flag; also seized and threw a shell with burning fuse from among his comrades.

Statement of Maj. Bering, Forty-eighth Ohio.

Report of Col. Sullivan, August 4, 1863.

Statement of Capt. Posegate, supported by three other officers of the regiment.

Assistant Secretary of War Doe, February 19, 1895, orders issue, by direction of the President, for most distinguished gallantry in saving flag of Forty-eighth Ohio Infantry, and also for throwing from among his comrades shell with burning fuse; same place, same day.

Medal issued February 25, 1895.

1159. Carman, Isaac.

Case No. 947. Big Shanty, or Mitchell Raiders, or Engine Stealers, 19 medals.

Items Nos. 932 to 950, both inclusive

Action: April, 1862.

Date of issue: See Official List of Medals of Honor.

Ground of award: "One of 22 men (including 2 civilians) who, by direction of Gen. Mitchell (of Buell), penetrated nearly 200 miles south into the enemy's territory and captured a railroad train at Big Shanty, Ga., in an attempt to destroy the bridges and track between Chattanooga and Atlanta."

Circumstances: An expedition of 22 or 24 men, including its leader, Mr. J. J. Andrews, a citizen of Kentucky, planned to reach a point on the Georgia State Railroad between Atlanta and Chattanooga and seize a locomotive and train and dash back in the direction of Chattanooga, cutting the telegraph wires and burning the bridges behind them as they advanced until they reached their own lines. The evidence found seems to unite in showing that 22 of the party arrived at the rendezvous in Chattanooga and actually entered the enemy's country and took part in the subsequent operations of the expedition. Two were civilians and the remaining 20 were soldiers. They succeeded in capturing the train, but were caught after running about 100 miles and forced to abandon their cars and flee to the woods, and the whole 22 were captured. The records, so far as I have been able to discover, show that eight of these men were executed as spies, as given in the following list:

Andrews, J. J., citizen of Kentucky, leader.
 Campbell, William, citizen of Kentucky.
 Ross, Marion A., Company A, Second Ohio.
 Robertson, Samuel, Company G, Thirty-third Ohio.
 Scott, John, Company K, Twenty-first Ohio.
 Shadrack, Perry G., Company K, Second Ohio.
 Slavens, Samuel, Thirty-third Ohio.
 Wilson, George D., Company B, Second Ohio.

Eight escaped in October, 1862:

Brown, W. W.	Porter, J. R.
Dorsey, D. A.	Wilson, J. A.
Hawkins, M. J.	Wood, Mark.
Knight, William.	Woolan, John.

Six were exchanged in March, 1863, as follows:

Bensinger, William.	Parrott, Jacob.
Buffam, Robert.	Pittenger, William.
Mason, E. H.	Reddick, William.

Medals of honor were issued to the above 14, who returned to their own lines, and to the heirs or relatives of 4 of those who were executed, making a total of 18. The official list, however, shows 19 medals to have been issued, the additional one being to James Smith, Company I, Second Ohio, the only evidence so far found justifying this being a letter from his father stating that he was a member of the raiding party.

The report of the Judge Advocate General on this expedition will be found in volume 10, part 1, Records of the War of the Rebellion, pages 630 et seq.

Incloses letter of Gen. Canby to Gen. Rosecrans, with reference to another survivor of secret-service expedition sent out by Gen. Mitchell in April, 1862; placed on same footing as other men of party.

Incloses \$100 draft and requests receipt.

Nineteen medals issued July 6, 1864.

Big Shanty Raid, Georgia, April, 1862.

932. Bensinger, William.	942. Riddick, William H.
933. Brown, Wilson.	943. Robertson, Samuel.
934. Buffum, Robert.	944. Ross, Marion A.
935. Dorsey, Daniel A.	945. Scott, John M.
936. Hawkins, Martin J.	946. Slavens, Samuel.
937. Knight, William.	947. Smith, James.
938. Mason, Ellhu H.	948. Wilson, John A.
939. Parrott, Jacob.	949. Wollam, John.
940. Pittinger, William.	950. Wood, Mark.
941. Porter, John R.	

Cases Nos. 1308, 1294, and 1776.

Lees Mills, Va., April 16, 1862.

Report of W. G. Veazey, lieutenant colonel commanding Third Vermont Volunteers, giving list of officers and men in compliance with circular from headquarters Army of the Potomac, July 23, 1862.

Personal letter to Gov. Proctor from T. S. Peck.

Recommended by Gen. Schofield, August 6, 1891.

Three medals issued August 17, 1891.

1308. Scott, Julien A.

1294. Pingree, Samuel E.

1776. Seaver, Thomas O.

Case No. 1752. Rescue of wounded.

Hatchers Run, Va., October 27, 1864.

Letter of 1752 to Congressman J. C. Burroughs, dated December 24, 1895.

Col. Ainsworth gives record, January 9, 1896.

Indorsement Secretary of War, January 23, 1896, recommends medal for most distinguished gallantry in action at Hatchers Run, Va., October 27, 1864.

One medal issued January 29, 1896.

1752. Woodruff, Alonzo.

Case 1058. Under severe fire succored superior officer.

Bull Run, Va., July 21, 1861.

Letter dated December 10, 1894, from James O'Donnell to Secretary of War. Col. Alnsworth, December 29, 1894, gives official record.

1058 acknowledges receipt of medal January 11, 1895, in supercilious letter.

Gen. O. B. Wilcox, December 19, 1894, narrates the exploits of No. 1058, page 3.

Indorsement Secretary of War. Medal issued by direction of President, distinguished gallantry, voluntarily remaining on field under heavy fire to aid and succor his superior officer battle Bull Run, Va.

One medal issued January 7, 1895.

1058. Withington, William H.

Case No. 1751. Saved lives of comrades.

Peachtree Creek, Ga., July 20, 1864.

Request of brother of No. 1751 on Secretary of War.

Affidavit of William Brent, captain of No. 1751.

Personal letter of brother to No. 1751.

Col. Alnsworth incloses record of 1751, dated May 19, 1894.

Assistant Secretary Doe, May 24, 1894, directed medal to be issued: "Let medal of honor be issued to 1751 for volunteering to go beyond the line of battle to observe the enemy, and aiding a wounded comrade at the battle of Peachtree Creek, Ga., July 20, 1864."

One medal issued June 19, 1894.

1751. Williams, William H.

Case 1210. Rescue of wounded.

Antietam, Md., September 17, 1862.

Personal request, letter dated November 25, 1873, of No. 1210 to Gen. B. F. Butler.

First indorsement gives report. Gen. Parke, Ninth Corps, forwards list of 68 names, among which was No. 1210. Instrumental in saving lives of some of his comrades at the risk of his own.

Adjutant General gives record and states he is entitled to medal.

Medal directed to be issued by Secretary of War.

Copy of letter from Secretary Belknap to 1210 stating that he is entitled to medal.

Medal issued February 21, 1874.

1210. Whitman, Frank M.

Case 1330. Rescue wounded.

Stone River, Tenn., December 31, 1862.

Letter to Adjutant General from Congressman Charles Curtis, December 14, 1897.

Letter from Edwin Nicker, lieutenant and adjutant, Fifteenth Indiana Volunteers.

Letter E. M. Burns, Company C, Fifteenth Indiana Volunteers, hospital steward.

Letter from Albert Fullum, L. J. Bryant, John M. Comparut, lieutenant colonel, Fifteenth Indiana Volunteers.

Statement of No. 1330.

Adjutant General's record, December 19, 1897.

Secretary of War R. A. Alger directs medal to be presented for "most conspicuous bravery by going to the front line of battle when brigade was engaged in a desperate contest and unaided carried to rear several wounded and helpless comrades."

Medal issued April 4, 1898.

1330. Whitehead, John M.

Case No. 974 (A. G. O. 452946). Vicksburg, Miss., April 27, 1863. Voluntarily acted as fireman on steam tug; ran blockade; passed batteries under fire.

Records and Pensions Division gives report of this case.

Medal awarded, direction President, Secretary of War's indorsement, June 30, 1896.

Three medals issued July 8, 1896.

974. Burritt, William W.

1007. Casey, Henry.

1502. Vernay, James D.

Case No. 965 (A. G. O. 1193993). Vicksburg, Miss., May 3, 1863. Volunteered and attempted to run enemy's batteries with steam tug and two barges loaded with subsistence stores.

Military Secretary's office makes full explanation of the circumstances in the case of 966, and will apply equally to other men included in this case.

Also, medals of honor awarded to two other members of the expedition, January, 1895, Capt. William H. Ward, Company B, Forty-seventh Ohio, and Asst. Surg. Andrew Davidson, of said regiment, upon the same showing of the records as in present case.

965. Ballen, Frederick.

966. Hack, John.

967. Hodges, Addison J.

968. Nash, Henry.

969. Sype, Peter.

1503. Ward, William H.

1008. Davidson, Andrew.

Case No. 2177. Saved gun, Bentonville, N. C., March 19, 1865.

Letter Brig. Gen. J. S. Robinson, March 30, 1865, cites report of Col. F. H. West, commanding Thirty-first Wisconsin Infantry.

Recommended for medal and approved by Brig. Gen. O. S. Williams.

Letter of Secretary of War, May 29, 1865, to John Potts, chief clerk War Department; orders issue.

Medal issued June 16, 1865.

2177. Anderson, Peter.

Case No. 2054. Captured flag Thirty-first Georgia Infantry, Petersburg, Va., July 3, 1863.

L. C. Brackett, captain and aid-de-camp to Gen. Wilcox, letter dated May 11, 1865, recommends 2054, who turned over to him one rebel flag and staff of another.

Maj. Gen. O. B. Wilcox, in extract letter dated May 17, 1865, recommends 2054 for medal of honor.

One medal issued July 3, 1865.

2054. Oliver, Charles.

Case 1653 (A. G. O. 506530). Capture of flags, Battle of Front Royal, Va., August 15, 1864.

Indorsement on envelope of E. M. Stanton directs Col. Townsend to issue medals for brave and distinguished services at the Battle of Front Royal, where they captured two stands of rebel colors.

Adjutant General to chief clerk directs preparation of medals of honor for the three named.

Individual receipts inclosed.

Three medals issued August 26, 1864.

1653. Kelley, Thomas.

1658. Leslie, Frank.

1663. Mandy, Harry J.

Case 1991 (A. A. K. 534-69). Flags captured by Sixth Corps, Petersburg, Va., April 2-6, 1865.

Gen. Meade in letter, April 18, 1865, reports 19 battle flags captured and 2 guidons. Gives list of captors and recommends medals of honor in each instance in recognition of their gallantry.

Secretary of War directs delivery of medals to inclosed list.

Nineteen medals issued May 10, 1865.

1991. Fesq, Frank.

1955. Brant, William.

1980. Dockum, Warren.

1996. Gifford, Benjamin.

1995. Gibbs, Wesley.

2085. Taggart, Charles A.

2091. Welch, Richard.

1982. Dolloff, Charles.

2043. Mitchell, Theodore.

2032. Matthews, Milton.

2000. Hack, Lester G.

2031. Marquette, Charles.

2076. Shubert, Frank.

2036. McMillen, Francis M.

2012. James, Isaac.

1951. Blickensderfer, Milton.

2028. Loyd, George.

2017. Keough, John.

1971. Connell, Trustim.

Case 1619 (A. G. O. 503867). Capture of flags, Atlanta Campaign, May 4 to September 8, 1864.

February 28, 1865, Maj. Gen. George H. Thomas transmits list accompanying captured flags and swords by the Army of the Cumberland, with several captured in the battle before Nashville.

Secretary of War directs chief clerk to have medals prepared for inclosed list.

Five medals issued April 7, 1865.

1619. Box, Thomas.

1665. Mattingly, Henry B.

1622. Buckley, Dennis.

1697. Tyrrell, George.

1656. Kuder, Jeremiah.

Case 1652 (A. G. O. 515887). Capture of flags, Franklin, Tenn., November 30, 1864.

Nine stands of colors captured from the enemy by the Twenty-third Army Corps.

List of actual captors.

Volume 45, part 1, page 347, Rebellion Records, Gen. Schofield in report to Gen. Thomas, January 31, 1865, gives list of actual captors of flags to whom special honor is accorded.

Letter Adjutant General, February 3, 1865, to chief clerk to prepare medals to be presented to list for gallantry in capture of rebel flags at the battle of Franklin, Tenn.

Seven medals issued, February 3, 1865.

1652. Kelley, George V.

1640. Greenawalt, Abraham.

1621. Brown, John H.

1641. Hall, Newton H.

1631. Davis, Joseph G.

1684. Ricksecker, J. H.

1637. Gaunt, J. C.

Case 865 (A. G. O. 264P-1869). Indian Campaign, August 13-October 31, 1868. Scouts and actions with Indians in Arizona, 1868; August to October, 1868; April 29, 1868; and November, 1868.

Gen. E. O. C. Ord, report dated March 11, 1869, recommends list for medals or certificates; incloses circular dated October 31, 1868. Recommends Lieut. Somerby for brevet and Charles Gardner for medal.

Gen. Sherman, May 26, 1869, in indorsement, recommends to the Secretary of War that medals be sent parties named.

Report Lieut. A. B. Wells, November 13, 1868.

Lieut. Karge's report, May 1, 1868, especially recommends James Reed.

Approved June 2, 1869, by the Secretary of War.

Thirty-eight medals issued July 24, 1869.

INDIAN CAMPAIGN, AUGUST 13 TO OCTOBER 31, 1868 (A. G. O. 264P-1869).

865. Bertram, Heinrich.

884. Keenan, John.

866. Brophy, James.

885. Knaak, Albert.

867. Burke, Patrick J.

886. Lawrence, James.

868. Carroll, Thomas.

887. Little, Thomas.

869. Carter, George.

888. McBride, Bernard.

870. Crundle, Charles.

889. McDonald, James.

871. Dally, Charles.

890. McKinley, Daniel.

872. Dougherty, William.

891. McVeagh, Charles H.

873. Dowling, James.

892. Miller, George W.

874. Falcott, Henry.

893. O'Callaghan, John.

875. Farren, Daniel.

894. O'Regan, Michael.

876. Folly, William H.

895. Phife, Lewis.

877. Foran, Nicholas.

896. Reed, James C.

878. Gardner, Charles.

897. Shaffer, William.

879. Gay, Thomas H.

898. Strivson, Benoni.

880. Golden, Patrick.

899. Sutherland, John A.

881. Hall, John.

900. Weather, Andrew J.

882. Heise, Clamor.

901. Whitcome, Joseph.

883. Higgins, Thomas P.

902. Wortman, George C.

Case 1429 (A. G. O., 521756). Capture flags Lookout Mountain, Tenn., November 24, 1863.

Letter Gen. H. A. Barnum, June 24, 1865, to Adjutant General recommends medals of honor be awarded for gallant conduct displayed in capturing battle flags.

Receipt of Gen. Barnum, June 28, 1865, for three medals named.

Three medals issued June 24, 1865.

1429. Potter, Norman P.

1427. Kapesser, Peter.

1421. Goettel, Philip.

Case 1639 and 17 others (517807). Nashville, Tenn., December 16, 1864.

Basis of award will be found in volume 45, Rebellion Records, Battle of Franklin.

Pencil memorandum of Lieut. Col. Barnes, Ninety-seventh Ohio, reports capture of battle flag by No. 1680.

Col. Richard reports capture of a United States guidon from a rebel battery by No. 1586, One hundred and twenty-fourth Ohio Volunteers.

Secretary of War, February 22, 1865, instructs John Potts, chief clerk, War Department, to issue medals of honor to list for gallantry in capturing rebel flags.

Individual receipts of medals.

Medals issued February 24, 1865.

1639. Gere, Thomas P.

1586. Carr, Franklin.

1626. Colwell, Oliver.

1624. Collins, Harrison.

1636. Garrett, William.

1646. Holcomb, Daniel I.

1651. Kaltenbach, Luther.

1666. May, William.

1667. McCleary, Charles H.

1674. Moore, Wilbur F.

1678. Parks, James W.

1680. Ransbottom, Alfred.

1690. Simmons, William T.

1691. Sloan, Andrew J.

1693. Smith, Otis W.

1694. Stokes, George.

1699. Welch, George W.

Case No. 1118. Volunteer storming party, Vicksburg, Miss., May 22, 1863 (358970-98).

March 16, 1893, application of Veteran Association, Fifty-fifth Illinois Volunteers, for surviving members who took part in the "storming party."

Col. Ainsworth, Chief of the Records Division, gives official extracts.

Assistant Secretary of War, August 18, 1893, directs issue of medals.

Six medals issued September 2, 1893.

1118. Larabee, James W.

1136. Sanford, Jacob.

1151. Warden, John.

1097. Fisher, John H.

1120. Lower, Robert A.

1126. Morford, Jerome.

Case No. 1992. Capture of flags.

Sailors Creek, Va., April 6, 1865.

Gen. George G. Meade, in report of April 16, 1865, sends 15 flags with captors, 14 of which were captured. Gives list of officers and men and recommends that medals of honor be presented to each of them.

Asst. Adjt. Gen. Townsend notifies Gen. Meade that medals of honor were awarded by the Secretary of War to the above list for gallantry in capturing flags from the enemy and engagements resulting in the surrender of the Army of Northern Virginia.

Eleven medals of honor issued May 10, 1865.

1992. Ford, G. W.

2064. Riddell, R.

2001. Haggerty, Asel.

1957. Brest, Lewis F.

1967. Chapman, John.

2046. Mundle, Walter L.

2019. Kline, Henry.

1949. Bennett, Orren N.

2038. Menter, John W.

2004. Haynes, Ashbury F.

2058. Phillips, Josiah.

Case No. 1017 and 39 others (2767, A. G. O. 73) (1420, A. G. O. 75). Engagements with Apaches, 1872-73 and 1875.

Letter of Gen. Crook, February 22, 1875, with lists.

Indian campaigns 1872 to April 9, 1873.

Two reports of Capt. Chilson, July 16, 1873, and July 1, 1874.

General Order No. 9, August 5, 1873, Gen. Pope, Department of Missouri, commander.

Medals recommended by Gens. Pope and Sherman.

Thirty-nine medals ordered, issued March 25, 1875.

Gallant conduct during the different campaigns against and engagements with the Apaches during the winter of 1872-73, closing April 9, 1873. (1420 A. G. O. 1875.)

- 1017. Day, William L., first sergeant, Company E, Fifth Cavalry.
- 1018. Beauford, Clay, Company B.
- 1019. Turpin, James H., Company L.
- 1020. Blair, James, Company I, First Cavalry.
- 1021. Orr, Moses, sergeant, Company I.
- 1022. Hyde, Henry J., Company M.
- 1023. Hinemann, Lehmann H., Company L.
- 1024. Von Medem, Gustave, Company A, Fifth Cavalry.
- 1025. Bailey, James E., corporal, Company E.
- 1026. Huff, J. W., Company L, First Cavalry.
- 1027. Osborn, William, Company M.
- 1028. Barrett, Richard, first sergeant, Company A, First Cavalry.
- 1029. Hill, James M., Company A, Fifth Cavalry.
- 1030. Allen, William, Company I, Twenty-third Infantry.
- 1031. Bishop, Daniel, sergeant, Company A, Fifth Cavalry.
- 1032. Stanley, Eben, private, Company A.
- 1033. Lenihan, James, Company K.
- 1034. Hooker, George, Company K.
- 1035. Hill, Frank E., corporal, Company E.
- 1036. Hoover, Samuel, bugler, Company A, First Cavalry.
- 1037. Martin, Patrick, sergeant, Company G, Fifth Cavalry.
- 1038. Deary, George, Company L.
- 1039. Taylor, Bernard, Company A.
- 1040. Morris, J. L., first sergeant, Company C, Eighth Cavalry.
- 1041. Lytle, L. S., sergeant, Company C.
- 1042. Sheerin, John, blacksmith, Company C.
- 978. Achesay, sergeant, Sierra Blanca Apaches.
- 979. Blankuet, private, Sierra Blanca Apaches.
- 980. Chiquito, private, Sierra Blanca Apaches.
- 981. Elsatsoosu, corporal, Aravaypa Apaches.
- 982. Jim, sergeant, Aravaypa Apaches.
- 983. Kelsay, private, Aravaypa Apaches.
- 984. Kosoha, private, Aravaypa Apaches.
- 985. Machol, private, Sierra Blanca Apaches.
- 986. Nannasaddi, private, Aravaypa Apaches.
- 987. Nantaje, private, Aravaypa Apaches.
- 988. Bratling, Frank, corporal, Company C, Eighth Cavalry.
- 989. Wills, Henry, private, Company C.
- 1944. Baker, John, private, Company K, Fifth Cavalry.
- Hanlon, Thomas, corporal, Company G, Fifth Cavalry (deserted September 10, 1873).
- Bross, Albert, private, Company K, Fifth Cavalry (deserted February 4, 1874).

Case No. 1868 and 41 others. Near Richmond, Va., October —, 1864.

Gen. Butler's order, dated October 11, 1864, recommends medals specifically and individually.

Copy of General Orders, 107, September 13, 1864, Headquarters Department of Virginia and North Carolina, report that Maj. Gen. Butler reports capture of battle flags and recommends three for medals of honor.

Personal letter of No. 1868 to War Department requests medal of honor recommended by Gen. Butler.

Medals ordered by Secretary of War Lincoln.

Medals issued May 10, 1884.

Forty-two medals issued.

Case 25. Gallantry in action, etc.

- | | |
|--------------------------|-----------------------------|
| 1868. Dow, George P. | 1760. Bronson, James H. |
| 1582. Archer, Lester. | 1786. Buchanan, George A. |
| 1832. Barnes, William H. | 1858. Buck, F. Clarence. |
| 1756. Beatty, Powhatan. | 1838. Flanagan, Augustine. |
| 1583. Belcher, Thomas. | 1595. Fleetwood, Christian. |
| 1584. Blucher, Charles. | 1840. Gardner, James. |
| 1620. Brady, James. | 1596. Gasson, Richard. |

- | | |
|-----------------------------|------------------------------|
| 1598. Graul, William. | 1669. McKown, Nathaniel A. |
| 1841. Grebe, George M. | 1772. Meagher, Thomas. |
| 1643. Hardenbergh, Henry M. | 1892. Pinn, Robert A. |
| 1843. Harris, James H. | 1852. Ratcliffe, Edward. |
| 1644. Hickok, Nathan E. | 1895. Robie, George F. |
| 1600. Hilton, Alfred B. | 1854. Schiller, John. |
| 1877. Holland, Milton M. | 1607. Sexton, Charles H. |
| 1879. James, Miles. | 1740. Shea, Joseph H. |
| 1808. Johndro, Franklin. | 1687. Shellenberger, John S. |
| 1825. Kelly, Alexander. | 1608. Skellie, Ebenezer. |
| 1810. Kramer, Theodore L. | 1902. Tilton, William. |
| 1848. Laing, William. | 1905. Vanwinkle, Edward. |
| 1657. Leonard, William E. | 1610. Veal, Charles. |
| 1882. Little, Henry F. W. | 1906. Wells, Henry S. |

Case No. 2026 and two others. Capture of flags. Petersburg, Va., April 2, 1865.

Gen. George E. Meade, in letter dated April 23, 1865, reports capture of flags, Petersburg, April 2, 1865, and recommends medals of honor for list, Ninth Corps, furnished by commanding officers.

Maj. Gen. John C. Parke reports names May 9, 1865, recommending for medal of honor those who captured flags.

Secretary of War directed chief clerk to issue medals for gallantry in capturing battle flags attack on Petersburg, April 2, 1865.

Individual receipts, also.

Three medals issued May 20, 1865.

2026. Lilley, John.

1988. Ewing, John C.

2002. Harman, Amzi D.

Case No. 1689 and three others. Nineveh, Va., November 12, 1864.

A list showing capture of flags Twenty-second Virginia Cavalry and Fourteenth Virginia Cavalry.

November 26, 1864, Townsend, Assistant Adjutant General, incloses to Maj. Gen. P. H. Sheridan medals of honor for delivery to list.

Secretary of War November 19, 1864, directs John Potts, chief clerk, to cause medals to be engraved for list.

Four medals issued November 26, 1864.

1689. Shoemaker, Levi.

1662. Lyons, Frederick A.

1581. Adams, James F.

1632. Evans, Thomas.

Case No. 1953. Capture of flags. Sailors Creek, Jetersville, Appomattox Courthouse, April 6, 1865.

Gen. Sheridan sends flags captured. His letter of April 12, 1865, incloses list of captors and flags captured.

Address of Maj. Gen. Butler October 11, 1864, to his army.

Newspaper report of presentation of flags by Gen. Sheridan's cavalry.

Adjutant General sends medals of honor for delivery to list of names.

Fifty-four medals issued May 8, 1865.

Capture of flags. (A. G. O. 511698.)

1953. Boon, Hugh P.

2006. Higby, C.

1967. Chapman, John.

2007. Hoffman, Henry.

1945. Anderson, Thomas.

2008. Holmes, William T.

1948. Benjamin, J. F.

2009. Houlton, William H.

1952. Bonebrake, H. G.

2011. Hughey, John P.

1958. Brewer, William J.

2013. Jordan, Absalom.

1962. Calkin, Ivers S.

2016. Kenyon, Samuel P.

1968. Clapp, Albert.

1855. Kimball, Joseph.

1974. Cunningham, Francis M.

2019. Kline, Henry.

1975. Custer, Thomas W.

2022. Landis, J. P.

1976. Davidsizer, J. V.

2024. Lanfare, A. S.

1983. Donaldson, John.

2025. Larimer, Smith.

1985. Elliott, A. C.

2027. Locke, Lewis.

1986. Evans, Caron D.

2035. McElhinny, Samuel O.

1992. Ford, George W.

2037. McWhorter, Walter F.

1998. Gribben, James H.

2039. Miller, Frank.

2001. Hagerty, Asel.

2045. Morris, William.

2004. Haynes, Ashbury.

2048. Neville, E. M.

- | | |
|--------------------------|---------------------------|
| 2051. Norton, E. M. | 2072. Shepard, William. |
| 2052. Norton, J. R. | 2073. Shields, Bernard. |
| 2055. Payne, I. C. | 2079. Sova, J. E. |
| 2056. Peirsol, J. K. | 2080. Stewart, George W. |
| 2060. Pitman, George J. | 2083. Strelle, C. |
| 2067. Savacool, Edwin F. | 2090. Warfel, H. C. |
| 2068. Schmal, George W. | 2094. Wineger, William W. |
| 2069. Schorn, Charles. | 2096. Woods, Daniel A. |
| 2071. Shaland, E. | 2095. Woodall, W. H. |

Case No. 2089 (515629). Mobile, Ala., operations, April 9, 1865.

Maj. Gen. Canby, May 7, 1865, reports flags captured and captors; also report of casualties, May 11, 1865.

Secretary of War, May 25, 1865, orders issue of medals of honor.

Nine medals issued June 8, 1865.

- | | |
|--------------------------|--------------------------|
| 2089. Vifquain Victor. | 2033. McConnell, Samuel. |
| 1956. Bras, Edgar A. | 2040. Miller, Henry A. |
| 1963. Callahan, John H. | 2082. Stickels, Joseph. |
| 2065. Riley, Thomas. | 2093. Whitmore, John. |
| 2062. Rebmann, George F. | |

Case No. 1950 (493702). Macon, Ga., April 16, 1865.

Report of Gen. J. H. Willson gives list of captors and flags captured.

Some individual receipts of medals.

Secretary of War, June 7, 1865, orders John Potts, chief clerk, War Department, to issue medals of honor.

Twelve medals issued June 17, 1865.

- | | |
|----------------------------|--------------------------|
| 1950. Birdsall, Horatio L. | 2005. Hays, John H. |
| 1947. Bebb, Edward J. | 2010. Hudson, Aaron R. |
| 1946. Bates, Norman F. | 2041. Miller, James P. |
| 1972. Cosgriff, Richard H. | 2044. Morgan, Richard H. |
| 1977. Davis, John. | 2084. Swann, Charles A. |
| 1989. Fanning, Nicholas. | 2087. Tibbets, Andrew W. |

Case No. 2185 (2815-74) (1821, Adjutant General's Office). Gagely Creek, Indian Territory, December 2, 1874.

Report of Lieut. Austin Henely.

Recommendations of Gen. Miles, March 21, 1875.

Approved by Gens. Sheridan and Sherman.

Secretary of War orders issue.

Twenty-one medals issued April 23, 1875.

- | | |
|--------------------------|----------------------------|
| 2185. Ryan, Dennis. | 2196. Knox, John W. |
| 2186. Ayres, James F. | 2197. Mitchell, John. |
| 2187. Dawson, Michael. | 2198. Lowthers, James. |
| 2188. Gardner, Peter W. | 2199. Pensyl, Josiah. |
| 2189. Hay, Frederick S. | 2200. Morris, William W. |
| 2190. Hornaday, Simpson. | 2201. De Armond, William. |
| 2191. James, John. | 2202. Robbins, Marcus M. |
| 2192. Kelly, John J. H. | 2203. Platten, Frederick. |
| 2193. Kelly, Thomas. | 2204. Sharpless, Edward C. |
| 2194. Kitchen, George K. | 2205. Tea, Richard L. |
| 2195. Koelplin, William. | |

Case No. 1686. Capture of colors.

Gen. Sheridan's Special Order, No. 61, paragraph 6, October 21, 1864, orders captors to Washington.

Report October 24, 1864, gives names and flags captured.

Indorsement gives list to receive medals of honor.

Ten medals issued October 26, 1864.

- | | |
|--------------------------|-------------------------|
| 1386. Scofield, David H. | 1682. Reigle, Daniel P. |
| 1629. Crocker, Ulrich. | 1695. Sweeney, James. |
| 1648. Hough, Ira. | 1701. Woodbury, Eri D. |
| 1660. Love, George M. | 1700. Wells, Thomas M. |
| 1679. Parks, Jeremiah. | 1611. Walsh, John. |

Case No. 1925. Bore colors with great gallantry in the assault on Fort Gregg, April 2, 1865.

Maj. Gen. John Gibbons' (commanding Twenty-fourth Corps) report dated 1865, recommends medal specifically for each individual.

Secretary of War orders issue.

Fourteen medals issued May 12, 1865.

- | | |
|--------------------------|----------------------------|
| 1925. Curtis, J. M. | 1601. Kane, John. |
| 1917. Allen, Abner P. | 2113. McGraw, Thomas. |
| 1918. Apple, Andrew O. | 1935. McKee, George. |
| 2105. Gardner, Robert J. | 1934. McCauslin, Joseph. |
| 1929. Highland, Patrick. | 2121. Thompson, Freeman C. |
| 1930. Howard, James. | 1940. Tucker, Allen. |
| 1931. Hunter, Charles A. | 2127. Van Matre, Joseph. |

Case No. 1990 and 11 others (510517). Capture of flags, Five Oaks, Va., April 1, 1865.

Report of George B. Halsted, assistant adjutant general, Fifth Army Corps. Gen. Sheridan's letter of April 23, 1865, recommends the gallant captors be paid in full and granted 30 days' furlough.

Secretary of War orders issue of medals of honor.

Twelve medals issued May 10, 1865.

- | | |
|---------------------------|----------------------------|
| 1990. Fernand, Albert E. | 2014. Kauss, August. |
| 2020. Koogle, Jacob. | 1987. Everson, Adelbert. |
| 1984. Edwards, David. | 2074. Shipley, Robert F. |
| 2075. Shopp, George J. | 2047. Murphy, Thomas J. |
| 1979. Delavie, Hiram A. | 2081. Stewart, Joseph. |
| 1904. Gardner, Charles N. | 2070. Scott, John Wallace. |

Case No. 1353 and 50 others. Gettysburg, Pa., July 3, 1863.

Official report dated October 17, 1864, by Maj. Gen. George G. Meade, commanding, and recommended for medals of honor.

Secretary of War, October 26, 1864, orders chief clerk, War Department to issue medals.

Fifty-one medals issued December 1, 1864.

- | | |
|------------------------------------|------------------------------|
| 1346. Bacon, E. W. | 1372. Monaghan, Patrick. |
| 1347. Begley, Terence. | 1373. Morgan, Lewis. |
| 1348. Bishop, Francis A. | 1374. Opel, John N. |
| 1349. Brown, Charles. | 1375. Plowman, George H. |
| 1350. Burk, Michael. | 1376. Reid, Robert. |
| 1351. Cullen, Thomas. | 1377. Richmond, James. |
| 1352. De Castro, Joseph H. | 1378. Robinson, John. |
| 1353. Dore, George H. ¹ | 1379. Robinson, Thomas. |
| 1354. Ellis, Horace A. | 1380. Rood, Oliver P. |
| 1355. Falls, Benjamin F. | 1381. Rought, Stephen. |
| 1356. Flynn, Christopher. | 1382. Rounds, Lewis A. |
| 1357. Freeman, Archibald. | 1383. Rowe, Henry W. |
| 1358. Hanscom, M. C. | 1384. Russell, Charles L. |
| 1359. Harbourne, John H. | 1385. Schlachter, Philipp. |
| 1360. Harris, George W. | 1386. Sherman, Marshal. |
| 1361. Hill, James S. | 1387. Strausburg, Bernard A. |
| 1362. Hincks, William B. | 1388. Thompson, James B. |
| 1363. Jellison, Benjamin H. | 1389. Thompson, William P. |
| 1364. Jennings, James T. | 1390. Wall, Jerry. |
| 1365. Jones, William. | 1391. Waller, Francis A. |
| 1366. Kemp, Joseph. | 1392. Weeks, John H. |
| 1367. Kindig, John M. | 1393. Westerhold, William. |
| 1368. Marsh, Albert. | 1394. Wiley, James. |
| 1369. Mayberry, John B. | 1395. Wilkins, Leander A. |
| 1370. McCarren, Bernard. | 1396. Young, Benjamin F. |
| 1371. Miller, John. | |

Case No. 1060. Red River, Tex., September 26 to 28, 1874. Gallantry in action.

Case No. 1061. Red River, Tex., September 26 to 28, 1874. Gallantry in attack. large party Cheyennes.

Case. No. 1062. Same as above.

¹ Colors (A. G. O. 908 B1884). Dore, Geo. H.

Case No. 1063. Staked Plains, Tex., November 3, 1874. Gallant manner faced desperate Indians.

Case No. 1064. Staked Plains, Tex., November 5, 1874. Ran down and killed Indians, etc.

Case No. 1065. Staked Plains, Tex., December 8, 1874. Gallantry long chase after Indians.

Case No. 1066. Same as above.

Case No. 1067. Indian scouts. Staked Plains, Tex., September 20, 1874. Gallantry in action.

Eight medals issued October 13, 1875.

1060. Phoenix, Edwin.

1064. Comfort, John W.

1061. McCabe, William.

1065. Bergendahl, Frederick.

1062. Mahoney, Gregory.

1066. O'Sullivan, John.

1063. Veuve, Ernest.

1067. Paine, Adam.

Case No. 1000. Wichita River, Tex., September 12, 1874. (A. G. O. 4278-74.) Indian campaigns.

This party included four enlisted men and two scouts. Of the latter, a memorandum, 2543, War Department, 1878, filed with above Adjutant General's Office, states no record of the enlistment of scouts Amos Chapman and William Dixon on file. Letter September 24, 1874, gives full report of circumstances.

Medals awarded by direction of Secretary of War.

Attached to above papers is a copy of General Order 110, Adjutant General's Office, December 6, 1877, relative to bringing into active operation, to take effect June 22, 1874, the statutes of the United States relative to certificates of merit.

Six medals issued November 7, 1874

1000. Woodall, Zachariah.

1003. Roth, Peter.

1001. Harrington, John.

998. Chapman, Amos.

1002. Smith, George W.

999. Dixon, William.

Case No. 1009 (73140). Indian campaign. Kansas and Colorado, September-October, 1868. Gallant and meritorious throughout campaigns, especially in the combat of October 15 and forced march September 23, 24, and 25 to the relief of Forsyth's scouts, known to be in danger of annihilation by Indians.

February 3, 1898, report and recommendations of Lieut. Gen. George A. Forsyth.

Indorsements same paper by commanding general of the Army and Secretary of War.

Copies field reports form part of record, and in inclosure No. 10 is found an extract from record of events on muster roll with reference to engagement October 15 or 18, 1868.

One medal issued April 8, 1898.

1009. Carpenter, Louis H., Tenth United States Cavalry.

Case No. 1010 (456405). Drewrys Bluff, Va., May 15, 1864. Individually demanded and received the surrender of seven armed Confederates concealed in a cellar, disarming and marching them in as prisoners of war.

August 10, 1896, Capt. E. L. Giddings submits petition for medal for this man signed by Lieut. Col. Dalton and five other officers of the Fortieth Massachusetts Regiment.

August 15, 1896, adverse action by Assistant Secretary Doe.

Additional petition from Fortieth Massachusetts Volunteers, indorsed August 18, 1896, by Lieut. Col. Guy V. Henry, Third Cavalry.

Specific mention in two extracts 1864-65 orders.

November 7, 1896, Assistant Secretary Doe awards medal.

One medal issued November 7, 1896.

1010. Cosgrove, Thomas F., Fortieth Massachusetts Infantry.

Case No. 1804 (A. G. O. 510889). Wilderness, Va., May 6, 1864. Bravery in action. Rescue wounded comrade under fire.

Hon. W. B. Hooker, Member of Congress, filed application of Col. Leonard with Adjutant General's Office.

Application of Lieut. Col. John Leonard, Seventy-second New York Volunteers, January 24, 1898, for medal of honor for 1864; report of circumstances in detail.

February 10, 1898, affidavit of H. D. Stoddard, corporal, Company B.

February 10, 1898, affidavit of Henri LeFevre Brown, late sergeant, Company B.

Ainsworth submits record of 1864.

March 1, 1898, Ainsworth forwards report to Secretary of War.

March 22, 1898, by direction of President, Alger, Secretary of War, awards medal—1864 volunteered, with two or three comrades, to go forward into the forest and reconnoiter the enemy's position. Came into contact with enemy, was fired upon, and one of the volunteers badly wounded; 1864 took wounded comrade upon his back and, under fire, brought him within the Union lines.

One medal issued April 2, 1898, for "most distinguished gallantry in action," the following being a statement of the particular service, viz:

"At the Wilderness, Va., May 6, 1864, this soldier, then a private in Company B, Seventy-second New York Volunteer Infantry, upon call of the regimental commander, with two or three comrades volunteered to go forward in the forest and reconnoiter the enemy's position. He came into contact with the enemy, was fired upon, and one of the volunteers was badly wounded and helpless. Young took his wounded comrade on his back and, under fire, brought him within the Union lines."

1864. Young, James M.

EMERGENCY CURRENCY ISSUED AND RETIRED.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

IN REGARD TO

EMERGENCY CURRENCY ISSUED AND RETIRED SINCE AUGUST 1, 1914, AND THE AMOUNT OF MONEY IN CIRCULATION IN THE UNITED STATES AUGUST 1, 1914, AND JULY 1, 1919.

JULY 24, 1919.—Ordered to lie on the table and to be printed.

TREASURY DEPARTMENT,
Washington, July 22, 1919.

SIR: In compliance with a resolution of the Senate of the United States of July 8, 1919, transmitted to me by the Secretary of the Senate under date of July 9, I submit the following:

Under the act approved May 30, 1908, commonly known as the Aldrich-Vreeland Act, as amended, additional or emergency currency was issued, beginning on August 4, 1914, in amount \$382,502,645. All of this additional circulation was retired before the close of the calendar year 1915. Authority for the issue of such additional or emergency currency expired by limitation on June 30, 1915.

No emergency currency has been issued by the Federal reserve banks. However, such banks have issued Federal reserve bank notes and Federal reserve notes in accordance with the provisions of law and under the general supervision of the Federal Reserve Board. None were outstanding August 1, 1914. The amounts of such notes in circulation on July 1, 1919, were:

Federal reserve bank notes.....	\$163, 682, 696
Federal reserve notes.....	2, 493, 992, 462

The Treasury Department has no intention, nor, indeed, the power, to retire or withdraw from circulation any thereof, nor, as I am advised, has the Federal Reserve Board. The Federal Reserve System was devised to create an elastic currency which would expand and contract automatically in accordance with the requirements of

business. Any reductions in the amounts of Federal reserve notes outstanding will be in accordance therewith. Federal reserve bank notes, for the most part, have been issued to replace silver certificates canceled and retired in accordance with the provisions of the act of April 23, 1918.

I transmit herewith a copy of the Treasury Department circulation statement for August 1, 1914, and July 1, 1919, showing the amount of money of the United States in circulation on the respective dates. Data is not available in the department with respect to the amount of money in circulation in the Territories and possessions of the United States.

Respectfully,

CARTER GLASS,
Secretary of the Treasury.

THE PRESIDENT OF THE UNITED STATES SENATE,
Washington, D. C.

Circulation statement, Aug. 1, 1914.

	General stock of money in the United States.		Held in Treasury as assets of the Government. ¹		Money in circulation.			
	July 1, 1914.	Aug. 1, 1914.	July 1, 1914.	Aug. 1, 1914.	July 1, 1914.	Aug. 1, 1914.	Aug. 1, 1913.	Jan. 1, 1879.
Gold coin (including bullion in Treasury).....	\$1,890,678,304	\$1,887,370,664	\$195,381,761	\$230,891,204	\$614,321,674	\$632,332,591	\$606,015,613	\$86,262,850
Gold certificates ².....	.....	.....	45,529,740	49,660,150	1,035,454,129	974,398,719	1,000,560,414	21,189,390
Standard silver dollars.....	565,934,263	565,840,263	4,670,987	8,701,521	70,314,176	69,981,742	72,178,431	5,700,721
Silver certificates ³.....	.....	.....	11,387,624	12,555,662	479,462,376	474,601,388	470,578,117	5,413,960
Subsidiary silver.....	.....	.....	22,052,188	22,318,627	160,263,675	160,128,806	156,408,146	67,892,601
Treasury notes of 1900.....	182,315,863	182,447,433	11,942	12,961	2,427,058	2,420,019	2,640,639	.....
Treasury notes of 1909.....	2,430,000	2,433,000	7,941,373	9,677,117	338,839,643	337,008,899	338,623,763	* 210,288,511
United States notes.....	346,681,016	346,681,016	.....	.....	718,065,637	716,513,816	710,801,001	314,339,308
National bank notes.....	750,671,899	750,907,021	32,586,262	34,365,205	.....	.....	.....	.....
Total	3,738,620,345	3,735,679,397	319,451,977	368,210,467	3,419,168,368	3,367,368,930	3,356,891,128	816,266,721

Population of continental United States Aug. 1, 1914, estimated at 99,168,000; circulation per capita, \$33.96.

¹ This statement of money held in the Treasury as assets of the Government does not include deposits of public money in national-bank depositaries to the credit of the Treasurer of the United States, amounting to \$55,172,211.78. For a full statement of assets see public debt statement.² For redemption of outstanding certificates an exact equivalent in amount of the appropriate kinds of money is held in the Treasury, and is not included in the account held as assets of the Government.³ Includes \$33,190,000 currency certificates, act June 8, 1872.

Circulation statement, July 1, 1919.

Circulating medium.	I. General stock of money in the United States. ¹		II. Held in the Treasury as assets of the Government. ²		III. Held by Federal reserve banks and Federal reserve agents against issues of Federal reserve notes. ³		IV. Money in circulation. ⁴			
	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.	June 1, 1919.	Jan. 1, 1919.
Gold coin (including bullion in Treasury).....	\$3,095,077,467	\$3,076,452,515	\$390,004,070	\$245,002,735	\$313,892,860	\$696,838,455	\$1,172,953,529	\$1,107,531,243	\$1,100,256,283	\$96,202,850
Gold certificates.....	.....	.....	.....	.....	.....	.....	\$1,642,219,728	\$28,231,744	580,794,981	21,189,280
Standard silver dollars.....	308,978,930	409,684,959	55,718,347	38,685,508	205,417,280	208,278,320	\$1,578,350	77,341,545	81,794,757	5,790,721
Silver certificates.....	.....	.....	.....	.....	.....	.....	199,039,003	381,806,776	179,641,852	413,360
Subsidiary silver.....	243,235,961	233,147,364	11,067,825	14,940,804	.....	.....	232,147,836	217,206,560	231,365,105	67,992,801
Treasury notes of 1890.....	.....	.....	.....	.....	.....	.....	1,745,230	1,851,180	1,757,932	.....
United States notes.....	346,681,016	346,681,016	13,742,472	6,744,783	.....	.....	332,838,544	839,695,233	334,237,367	310,268,511
Federal reserve notes.....	12,687,556,985	1,847,580,445	44,265,463	29,892,400	146,399,060	106,186,350	2,483,922,462	1,711,411,966	2,606,177,617	.....
Federal reserve bank notes.....	187,666,989	15,444,000	23,984,284	100,025	.....	.....	183,682,066	15,343,975	155,996,904	.....
National bank notes.....	719,276,723	724,205,485	69,445,582	20,068,477	.....	.....	649,831,150	704,137,008	662,305,614	314,339,366
Total.....	7,589,473,771	6,742,225,784	578,848,043	356,124,760	1,168,699,200	1,001,303,125	5,841,026,528	5,384,797,909	5,384,268,212	816,266,721
Population of continental United States estimated at.....	.....	.....	.....	.....	.....	.....	107,600,000	106,896,000	107,455,000	48,231,000
Circulation per capita.....	.....	.....	.....	.....	.....	.....	\$54.28	\$50.86	\$54.29	\$16.92

¹ Includes gold held in the Treasury for the redemption of outstanding gold certificates (\$747,637,005, and Federal reserve gold settlement fund, \$1,415,019,690.10 on July 1, 1919) and standard silver dollars held in the Treasury for the redemption of outstanding silver certificates and Treasury notes of 1890 (\$171,984,233 on July 1, 1919). Amounts of Federal reserve bank notes and national bank notes are amounts issued by Treasury to banks.

² Includes the gold reserve fund held against issues of United States notes and Treasury notes of 1890 (\$152,979,025.63 on July 1, 1919), and the gold or lawful money redemption funds held against issues of national bank notes, Federal reserve notes, and Federal reserve bank notes (\$227,979,873.65 on July 1, 1919). Does not include deposits of public money held in Federal reserve banks, national banks, and special depositories (\$1,090,069,711.15 on July 1, 1919), nor does it include funds held in trust in the Treasury for the redemption of outstanding gold and silver certificates and Treasury notes of 1890. (See Column I.) For a full statement of Treasury assets and liabilities see daily statement of the United States Treasury and monthly financial statement.

³ Includes the gold reserve held by banks against issues and gold or other funds deposited by banks with agents to retire Federal reserve notes in circulation and own Federal reserve notes held by Federal reserve banks.

⁴ Amounts of various kinds of money in circulation determined by deducting from the appropriate item in the general stock of money (Column I) the amount held in the Treasury as assets of the Government (Column II) and the amount held by Federal reserve banks or Federal reserve agents against issues of Federal reserve notes (Column III). Gold and silver certificates and Treasury notes of 1890 in circulation are represented in the general stock of money by equal amounts of gold coin or bullion and standard silver dollars held in Treasury for their redemption. (See Column I.) Amounts of Federal reserve bank notes and national bank notes are amounts of issues by Treasury to banks less amounts held in Treasury as assets of the Government.

⁵ Includes \$799,301,800 credited to Federal reserve agents in the gold settlement fund deposited with Treasurer of the United States.

⁶ Includes \$615,717,839.10 credited to Federal reserve banks in the gold settlement fund deposited with Treasurer of the United States.

⁷ Includes own Federal reserve notes held by Federal reserve banks.

AMERICAN TROOPS IN SIBERIA.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

IN RESPONSE TO A RESOLUTION OF THE SENATE AGREED TO JUNE 23, 1919, INFORMING THE SENATE OF THE REASONS FOR SENDING UNITED STATES SOLDIERS TO AND MAINTAINING THEM IN SIBERIA.

JULY 25, 1919.—Read; ordered to be printed and lie on the table.

THE WHITE HOUSE,
Washington, July 22, 1919.

THE PRESIDENT OF THE SENATE.

SIR: For the information of the Senate, and in response to the resolution adopted June 23, 1919, requesting the President to inform the Senate, if not incompatible with the public interest, of the reasons for sending United States soldiers to Siberia, the duties that are to be performed by these soldiers, how long they are to remain, and generally to advise the Senate of the policy of the United States Government in respect to Siberia and the maintenance of United States soldiers there, I have the honor to say that the decision to send American troops to Siberia was announced to the press on August 5, 1918, in a statement from the Acting Secretary of State, of which a copy is inclosed.

This measure was taken in conjunction with Japan and in concert of purpose with the other allied powers, first of all to save the Czecho-Slovak armies which were threatened with destruction by hostile armies apparently organized by, and often largely composed of enemy prisoners of war. The second purpose in view was to steady any efforts of the Russians at self-defense, or the establishment of law and order in which they might be willing to accept assistance.

Two regiments of Infantry, with auxiliary troops—about 8,000 effectives—comprising a total of approximately 10,000 men, were sent under the command of Maj. Gen. William S. Graves. The troops began to arrive at Vladivostok in September, 1918. Considerably

larger forces were dispatched by Japan at about the same time, and much smaller forces by others of the allied powers. The net result was the successful reunion of the separated Czecho-Slovak armies, and the substantial elimination in eastern Siberia of the active efforts of enemy prisoners of war. A period of relative quiet then ensued.

In February, 1919, as a conclusion of negotiations begun early in the summer of 1918, the United States accepted a plan proposed by Japan for the supervision of the Siberian railways by an international committee, under which committee Mr. John F. Stevens would assume the operation of the Russian Railway Service Corps. In this connection, it is to be recalled that Mr. John F. Stevens, in response to a request of the provisional government of Russia, went to Russia in the spring of 1917. A few months later he was made official adviser to the minister of ways of communication at Petrograd under the provisional government. At the request of the provisional government, and with the support of Mr. John F. Stevens, there was organized the so-called Russian Railway Service Corps, composed of American engineers. As originally organized, the personnel of this corps constituted 14 skeleton division units as known in this country, the idea being that these skeleton units would serve as practical advisers and assistants on 14 different sections of the Siberian Railway, and assist the Russians by their knowledge of long-haul problems as known in this country, and which are the rule and not the exceptions in Siberia.

Owing to the Bolshevik uprising, and the general chaotic conditions, neither Mr. Stevens nor the Russian Railway Service Corps was able to begin work in Siberia until March, 1918. They have been able to operate effectively only since the railway plan was adopted in February, 1919.

The most recent report from Mr. Stevens shows that on parts of the Chinese Eastern & Trans-Baikal Railway he is now running six trains a day each way, while only a little while ago they were only able to run that many trains per week.

In accepting the railway plan, it was provided that some protection should be given by the allied forces. Mr. Stevens stated frankly that he would not undertake the arduous task before him unless he could rely upon support from American troops in an emergency. Accordingly, as provided in the railway plan, and with the approval of the interallied committee, the military commanders in Siberia have established troops where it is necessary to maintain order at different parts of the line. The American forces under Gen. Graves are understood to be protecting parts of the line near Vladivostok, and also on the section around Verchne Udinsk. There is also understood to be a small body of American troops at Harbin. The exact location from time to time of American troops is, however, subject to change by the direction of Gen. Graves.

The instruction to Gen. Graves directed him not to interfere in Russian affairs but to support Mr. Stevens wherever necessary. The Siberian Railway is not only the main artery for transportation in Siberia but is the only open access to European Russia to-day. The population of Siberia, whose resources have been almost exhausted by the long years of war and the chaotic conditions which have existed

there, can be protected from a further period of chaos and anarchy only by the restoration and maintenance of traffic on the Siberian Railway.

Partisan bands under leaders having no settled connection with any organized government, and bands under leaders whose allegiance to any settled authority is apparently temporary and transitory, are constantly menacing the operation of the railway and the safety of its permanent structures.

The situation of the people of Siberia meantime is that they have no shoes or warm clothing; they are pleading for agricultural machinery and for many of the simpler articles of commerce upon which their own domestic economy depends and which are necessary to fruitful and productive industry among them. Having contributed their quota to the Russian armies which fought the central empires for three and one-half years, they now look to the Allies and the United States for economic assistance.

The population of western Siberia and the forces of Admiral Kolchak are entirely dependent upon these railways.

The Russian authorities in this country have succeeded in shipping large quantities of Russian supplies to Siberia, and the Secretary of War is now contracting with the great cooperative societies which operate throughout European and Asiatic Russia to ship further supplies to meet the needs of the civilian population. The Kolchak Government is also endeavoring to arrange for the purchase of medical and other Red Cross supplies from the War Department, and the American Red Cross is itself attempting the forms of relief for which it is organized. All elements of the population in Siberia look to the United States for assistance. This assistance can not be given to the population of Siberia, and ultimately to Russia, if the purpose entertained for two years to restore railway traffic is abandoned. The presence of American troops is a vital element in this effort. The services of Mr. Stevens depend upon it, and, a point of serious moment, the plan proposed by Japan expressly provides that Mr. Stevens and all foreign railway experts shall be withdrawn when the troops are withdrawn.

From these observations it will be seen that the purpose of the continuance of American troops in Siberia is that we, with the concurrence of the great allied powers, may keep open a necessary artery of trade and extend to the vast population of Siberia the economic aid essential to it in peace time, but indispensable under the conditions which have followed the prolonged and exhausting participation by Russia in the war against the Central Powers. This participation was obviously of incalculable value to the allied cause, and in a very particular way commends the exhausted people who suffered from it to such assistance as we can render to bring about their industrial and economic rehabilitation.

Very respectfully, yours,

WOODROW WILSON.

DEPARTMENT OF STATE,
August 5, 1918.

FOR THE PRESS:

The Acting Secretary of State issues the following statement to the press in re American-Japanese action in Siberia:

In the judgment of the Government of the United States, a judgment arrived at after repeated and very searching considerations of the whole situation, military intervention in Russia would be more likely to add to the present sad confusion there than to cure it, and would injure Russia rather than help her out of her distresses.

Such military intervention as has been most frequently proposed, even supposing it to be efficacious in its immediate object of delivering an attack upon Germany from the east, would in its judgment be more likely to turn out to be merely a method of making use of Russia than to be a method of serving her. Her people, if they profited by it at all, could not profit by it in time to deliver them from their present desperate difficulties, and their substance would meantime be used to maintain foreign armies, not to reconstitute their own or to feed their own men, women, and children. We are bending all our energies now to the purpose, the resolute and confident purpose of winning on the western front, and it would in the judgment of the Government of the United States be most unwise to divide or dissipate our forces.

As the Government of the United States sees the present circumstances, therefore, military action is admissible in Russia now only to render such protection and help as is possible to the Czecho-Slovaks against the armed Austrian and German prisoners who are attacking them and to steady any efforts at self-government or self-defense in which the Russians themselves may be willing to accept assistance. Whether from Vladivostok or from Murmansk and Archangel, the only present object for which American troops will be employed will be to guard military stores which may subsequently be needed by Russian forces and to render such aid as may be acceptable to the Russians in the organization of their own self-defense.

With such objects in view the Government of the United States is now cooperating with the Governments of France and Great Britain in the neighborhood of Murmansk and Archangel. The United States and Japan are the only powers which are just now in a position to act in Siberia in sufficient force to accomplish even such modest objects as those that have been outlined. The Government of the United States, has, therefore, proposed to the Government of Japan that each of the two governments send a force of a few thousand men to Vladivostok, with the purpose of cooperating as a single force in the occupation of Vladivostok and in safeguarding, so far as it may, the country to the rear of the westward-moving Czecho-Slovaks; and the Japanese Government has consented.

In taking this action the Government of the United States wishes to announce to the people of Russia in the most public and solemn manner that it contemplates no interference with the political sovereignty of Russia, no intervention in her internal affairs—not even in the local affairs of the limited areas which her military force

may be obliged to occupy—and no impairment of her territorial integrity, either now or hereafter, but that what we are about to do has as its single and only object the rendering of such aid as shall be acceptable to the Russian people themselves in their endeavors to regain control of their own affairs, their own territory, and their own destiny. The Japanese Government, it is understood, will issue a similar assurance.

These plans and purposes of the Government of the United States have been communicated to the Governments of Great Britain, France, and Italy, and those Governments have advised the Department of State that they assent to them in principle. No conclusion that the Government of the United States has arrived at in this important matter is intended, however, as an effort to restrict the actions or interfere with the independent judgment of the Governments with which we are now associated in the war.

It is also the hope and purpose of the Government of the United States to take advantage of the earliest opportunity to send to Siberia a commission of merchants, agricultural experts, labor advisers, Red Cross representatives, and agents of the Young Men's Christian Association accustomed to organizing the best methods of spreading useful information and rendering educational help of a modest kind in order in some systematic way to relieve the immediate economic necessities of the people there in every way for which an opportunity may open. The execution of this plan will follow and will not be permitted to embarrass the military assistance rendered to the Czecho-Slovaks.

It is the hope and expectation of the Government of the United States that the Governments with which it is associated will, wherever necessary or possible, lend their active aid in the execution of these military and economic plans.



BREWING AND LIQUOR INTERESTS AND GERMAN AND BOLSHEVIK PROPAGANDA

REPORT OF THE SUBCOMMITTEE ON THE JUDICIARY UNITED STATES SENATE

PURSUANT TO

S. RES. 307 and 436

Sixty-fifth Congress

**RELATING TO CHARGES MADE AGAINST THE
UNITED STATES BREWERS' ASSOCIATION AND
ALLIED INTERESTS**



WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

SENATE RESOLUTION NO. 136.

(Submitted by Mr. Nelson.)

IN THE SENATE OF THE UNITED STATES,

July 28, 1919.

Resolved, That the report of the Subcommittee on the Judiciary who were directed to report the result of their investigation relating to charges made against the United States Brewers' Association and allied interests be printed as a Senate document.

Attest:

GEORGE A. SANDERSON,
Secretary.

II

BREWING AND LIQUOR INTERESTS AND GERMAN PROPAGANDA, AND BOLSHEVIK PROPAGANDA.

Mr. OVERMAN, from the Subcommittee on the Judiciary, submitted
the following

REPORT.

[Pursuant to Senate Resolutions 307 and 436.]

The Subcommittee on the Judiciary having under consideration the resolution directing the Committee on the Judiciary of the Senate to call for certain evidence and documents relating to charges made against the United States Brewers' Association and allied interests and to report the result of their investigation to the Senate, have concluded their duties.

The chairman appointed as a subcommittee to investigate the matters and things named in said resolution the following Senators: Overman (chairman), King, Wolcott, Nelson, and Sterling.

The resolution directing the committee to make this investigation is here printed in full, as follows:

Whereas Honorable A. Mitchell Palmer, Custodian of Alien Property, on or about September fourteenth made the following statement:

"The facts will soon appear which will conclusively show that twelve or fifteen German brewers of America, in association with the United States Brewers' Association, furnished the money, amounting to several hundred thousand dollars, to buy a great newspaper in one of the chief cities of the Nation; and its publisher, without disclosing whose money had bought that organ of public opinion, in the very Capital of the Nation, in the shadow of the Capitol itself, has been fighting the battle of the liquor traffic.

"When the traffic, doomed though it is, undertakes and seeks by these secret methods to control party nominations, party machinery, whole political parties, and thereby control the Government of State and Nation, it is time the people know the truth.

"The organized liquor traffic of the country is a vicious interest because it has been unpatriotic, because it has been pro-German in its sympathies and its conduct. Around these great brewery organizations owned by rich men, almost all of them are of German birth and sympathy, at least before we entered the war, has grown up the societies, all the organizations of this country intended to keep young German immigrants from becoming real American citizens.

"It is around the sangerfests and sangerbunds and organizations of that kind, generally financed by the rich brewers, that the young Germans who come to America are taught to remember, first, the fatherland, and second, America"; and

Whereas it has been publicly and repeatedly charged against the United States Brewers' Association and allied brewing companies and interests that there is in the Department of Justice and in the office of a certain United States district attorney evidence showing:

That the said United States Brewers' Association, brewing companies, and allied interests have in recent years made contributions to political campaigns on a great scale without precedent in the political history of the country and in violation of the laws of the land;

That in order to control legislation in State and Nation they have exacted pledges from candidates to office, including Congressmen and United States Senators, before election, such pledges being on file;

That in order to influence public opinion to their ends they have heavily subsidized the public press and stipulated when contracting for advertising space with the newspapers that a certain amount be editorial space, the literary material for the space being provided from the brewers' central office in New York;

That, in order to suppress expressions of opinion hostile to their trade and political interests, they have set in operation an extensive system of boycotting of American manufacturers, merchants, railroads, and other interests;

That, for the furthering of their political enterprises, they have erected a political organization to carry out their purposes;

That they were allied to powerful suborganizations, among them the German-American Alliance, whose charter was revoked by the unanimous vote of Congress; the National Association of Commerce and Labor; and the Manufacturers and Dealers' Associations, and that they have their ramifications in other organizations apparently neutral in character;

That they have on file political surveys of States, counties, and districts tabulating the men and forces for and against them, and that they have paid large sums of money to citizens of the United States to advocate their cause and interests, including some in the Government employ;

That they have defrauded the Federal Government by applying to their political corruption funds money which should have gone to the Federal Treasury in taxes;

That they are attempting to build up in the country through the control of such organizations as the United States societies and by the manipulation of the foreign-language press, a political influence which can be turned to one or the other party, thus controlling electoral results;

That they, or some of their organizations, have pleaded *nolo contendere* to charges filed against them and have paid fines aggregating large sums of money: Therefore be it

Resolved, That the Committee on the Judiciary of the Senate, or any subcommittee thereof, is hereby authorized and directed to call upon the Honorable A. Mitchell Palmer, Alien Property Custodian, and the Department of Justice and its United States district attorneys to produce the evidence and documents relating to the charges herein mentioned, and to subpoena any witnesses or documents relating thereto that it may find necessary, and to make a report of the result of such investigation and what is shown thereby to the Senate of the United States as promptly as possible.

The subcommittee began its investigation on September 27, 1918. At the request of the subcommittee the Secretary of War very kindly detailed from the Judge Advocate General's Department, United States Army, to aid the committee, Maj. E. Lowry Humes, formerly United States district attorney for the western district of Pennsylvania, and from the Military Intelligence Division, United States Army, Capt. George B. Lester, an attorney of New York, and also the Attorney General very kindly detailed from the Department of Justice Mr. William R. Benham, all of whom rendered most valuable assistance to the committee in the collection of evidence, the production of testimony, the examination of witnesses, and in the preparation of reports.

BREWING AND LIQUOR ACTIVITIES.

The allegations and charges made in said resolution No. 307, hereinbefore set out, in regard to the brewing and liquor activities, were substantially sustained, as will appear from the printed record, volumes 1 and 2, herewith transmitted.

Your committee in entering upon the investigation directed by said resolution No. 307 interpreted that resolution as requiring an inquiry into two subjects, to wit:

1. The conduct and activities of the brewing and liquor interest political and otherwise was specifically demanded; and

2. A general inquiry into pro-German propaganda and activities was required: The testimony taken having been printed, a review thereof is deemed unnecessary. Complying, however, with the mandate of the resolution requiring a report of the results established by the investigation the following findings are herewith submitted for the information and attention of the Senate.

I.

With regard to the conduct and activities of the brewing and liquor interests, the committee is of the opinion that the record clearly establishes the following facts:

(a) That they have furnished large sums of money for the purpose of secretly controlling newspapers and periodicals.

(b) That they have undertaken to and have frequently succeeded in controlling primaries, elections, and political organizations.

(c) That they have contributed enormous sums of money to political campaigns in violation of the Federal statutes and the statutes of several of the States.

(d) That they have exacted pledges from candidates for public office prior to the election.

(e) That for the purpose of influencing public opinion they have attempted and partly succeeded in subsidizing the public press.

(f) That to suppress and coerce persons hostile to and to compel support for them they have resorted to an extensive system of boycotting unfriendly American manufacturing and mercantile concerns.

(g) That they have created their own political organization in many States and in smaller political units for the purpose of carrying into effect their own political will and have financed the same with large contributions and assessments.

(h) That with a view of using it for their own political purposes they contributed large sums of money to the German-American Alliance, many of the membership of which were disloyal and unpatriotic.

(i) That they organized clubs, leagues, and corporations of various kinds for the purpose of secretly carrying on their political activities without having their interest known to the public.

(j) That they improperly treated the funds expended for political purposes as a proper expenditure of their business and consequently failed to return the same for taxation under the revenue laws of the United States.

(*k*) That they undertook through a cunningly conceived plan of advertising and subsidization to control and dominate the foreign-language press of the United States.

(*l*) That they have subsidized authors of recognized standing in literary circles to write articles of their selection for many standard periodicals.

(*m*) That for many years a working agreement existed between the brewing and distilling interests of the country by the terms of which the brewing interests contributed two-thirds and the distilling interests one-third of the political expenditures made by the joint interests.

GERMAN PROPAGANDA.

Your committee has conducted a large number of hearings and there has been produced before your committee a large amount of information through the testimony of witnesses and the production of documents in which is shown in considerable detail the system of propaganda carried on in the United States by the German Government and its sympathizers after the beginning of the European war.

The purpose of this inquiry has been to make a public and permanent record of the important facts and surrounding conditions which have made possible the creation and maintenance of a system of violence, espionage, and distribution of propaganda literature by the German Government during the period of our neutrality, in order that the public might be informed and that proper legislation by the Congress of the United States may render impossible the creation and maintenance in the future of a similar system, whether conducted by the German Government and its sympathizers or by any other foreign power.

Without going into the detailed activities of the agents and representatives of Germany and those who were aiding and assisting them in their purpose, it is clear from the evidence that the following may be accepted as the established facts:

For many years prior to the outbreak of the European war the Central Powers, especially Germany, had contributed largely to the populating of the United States, and according to the United States census of 1910 there were resident in the United States 1,337,000 males who had been born in Germany, and after the United States entered into the war with Germany there were registered as German alien enemies, pursuant to the President's proclamation of November 16, 1917, 254,000 males of the age of 18 years and upward.

There were in addition a vast number of residents within the United States who were the immediate descendants of German parents, and it has been variously estimated that the so-called German-American population within the United States total upward of 10,000,000 persons, or approximately one-tenth of our population. Of this vast number it is in evidence that a considerable part maintained and designedly perpetuated the language, customs, and racial ideals of Germany, and through and by means of the introduction and maintenance of the German language in the common schools of the various States and in the parochial and religious schools, seminaries and colleges, in conducting religious services in their churches in the German language, in the wide dissemination of German liter-

ature through the German language press, and in the publication, both in Germany and in this country, of books and writings in the German language, this portion of our population has been educated along lines of German thought.

In addition, these Germans and German-Americans have maintained a system of social segregation through numerous local societies and organizations which come under the general head of vereins and verbunds, the object and purpose of which have been to preserve the language and customs of Germany and to bind together those of German lineage. Many of these various societies and associations are subsidiary to or a part of so-called staatsverbunds, which in turn became subsidiary to and part of the German-American Alliance, a national organization incorporated by act of Congress of the United States, the charter of which has, however, been revoked by act of Congress since the United States entered the war. This organization, with its 1,200 local vereins and verbunds, claimed to have at the time of the outbreak of the European war a membership of approximately 2,000,000 persons. The members of the alliance never concealed their main aim, which was to keep their own nationality separate from that of their fellow citizens in the United States, and by means of the dissemination of literature by the National Alliance, as well as by the State alliances and the local societies, their objects were accomplished.

At the outbreak of the European war the German-American Alliance, through its auxiliary societies, became particularly active in its efforts to bring all citizens and residents of the United States of German extraction together and to work publicly and privately for the aims of Germany.

In the Official Bulletin the propaganda committee of the German-American Alliance, by Joseph Keller, chairman, makes the following declaration, which gives a fair idea of the attitude of these Germans and German-Americans toward the rest of the country (Bulletin of January, 1916):

The leaders and lecturers of the German-American National Alliance have, since the establishment of this organization, never failed to emphasize the fact that the greatness, the strength, and the influence of Germanism in this country lies in appreciation of itself, in the recognition of an inviolable union of ideals which knows no limits, but only progress and upward aspiration, a union whose activity lies in the United States, protecting German style and manner and strengthening them.

That the hyphenated American, as the German-American is now scornfully called, must run the gauntlet of the pro-British English press and the Anglicized Americans is largely to be ascribed to the fact that the concentration of the strength of the entire Germanism, or, rather, of the descendants of the great German race in this land, for which such efforts were made, especially during the years just preceding the outbreak of the Great War, had not yet been realized, inasmuch as in certain circles, especially in German church circles, there was to a certain extent a hesitation at forming a union of forces with the national alliance.

Let us in this critical epoch for us German-Americans remember the words of Prof. T. Lindsey Playner, of the Central University, Kentucky, who said in his time: "Here in the New World, which possesses so much good and so much for the blessing of humanity, we believe that we are in no wise untrue to our fatherland if we, in contemplation of all that you have conferred on us, our spiritual mother, cry, 'Hail Germania.'"

As guiding principle and source of teaching, courage and hope, we may quote the words of the German pastor, Otto Wappler, of Monona, Iowa, who speaks in the name of his synod: "As German pastors we should no longer

look as silent spectators on the conflict of political truth and social righteousness, but enter the arena in full sight of friend and foe, and with the talents which we possess serve in conflict the bold champions of the German cause as well as we are able. Too long already have we, German pastors, at any rate most of us, Lutheran pastors, lain inactive in well-protected trenches as little more than passive spectators of the conflict. But, praise God, we are finally shaken from our indolence and have determined to take our stand in the open and take an active part in the struggle for truth and righteousness before the forum of the public. Heretofore our efforts at reform were confined to the tranquillity of the church and the limited circle of the congregation. But from now on we propose to help in shedding the rays of German truthfulness, German honor, and German loyalty, among the masses as far as we are able."

The propaganda committee of the German-American Alliance urges therefore that the beginning of the new year that all German-Americans, forgetting all separate interests, build, operate, and exercise their creative ability on the rock of true, inviolable union, on which all German life rests, on which all the higher ideals of the Germans can securely rest. This is the rock on which unfortunately the German-American National Alliance was established too late, although the latter can look back upon many fine achievements in the German-American struggle for the promotion of its peculiar culture and may be regarded in this storm-swept period as a veritable Gibraltar standing out against all vulgar, malicious insult and ridicule of the German name and against the unjust persecution of the German race and its offspring in this land provoked by British gold.

In addition to the German-American Alliance, with its extensive ramifications, there existed in the United States for many years various secret and semisecret organizations, more or less local in their character, that were devoted to the same general object, namely, that of preserving the language, customs, and ideals of Germany. Among these may be noted the *Schlarrafia*, a secret organization which had its inception in Germany many generations ago and which has been transplanted to this country. While it is largely a social secret organization, one of its principal objects is the maintenance of the respect for the Prussian military ideals and loyal adherence to Germany.

Another organization is the Sons of Herman, a secret organization similar to the Masonic fraternity. This organization has lodges in various parts of the United States. Its membership is almost exclusively made up of men of German birth or parentage.

Another organization is known as the *Kriegesbund*, a society of German Army veterans. The only men eligible to the society are men who have served in the German Army.

It is in evidence, through documents produced by Prof. von Mach, that in 1916 an offer was made by Dr. von Mach to the Secretary of War of the United States to list and send to the Secretary of War the names and addresses of upward of about 400,000 men of German birth resident within the United States who had served at one time or another in the German Army. The plan was conceived by Herman Ridder, the publisher of the *Staats Zeitung*, the leading New York German language daily paper, who undertook, as stated in his letter to Von Mach, to make this census, compile lists, and forward them to the Secretary of War. Mr. Garrison, then Secretary of War, declined the offer on the ground that the War Department could not accept the service.

It is in evidence before the committee that certain branches of the Lutheran Church were particularly active in defending the German cause during our period of neutrality, not only by means of religious

teachings, but by work through the secular societies, especially the subsidiary organizations of the German-American Alliance.

Prior to the outbreak of the European war the Hamburg-American Steamship Co. and North German Lloyd, and the Atlas Line, a subsidiary of the Hamburg-American Line, handled a large part of the carrying trade between the United States and European countries. The Hamburg-American Line maintained a large commercial organization in the United States with offices in most of the principal cities of the country. Many of the agents and representatives were German citizens temporarily resident in the United States. This whole organization is semiofficial in that all of these lines were under subsidy of the German Government and subject to its control and use if required.

At the outbreak of the European war the German Government had in the United States a very strong and well-trained diplomatic corps. The German Embassy in Washington was the headquarters of the German diplomatic system and the center of its directing influence. This system included the German consuls and consular agents who had headquarters and who were stationed at various of the larger cities in the United States. The commercial field in many industries was dominated by Germans or those of German extraction and sympathy. These included many of our largest banking institutions and many of the large export houses. The chemical and textile industries at many of the large centers were owned outright or dominated by Germans, many of whom were resident in Germany. The brewing interests of the country were largely owned and controlled by citizens of German extraction.

There had been built up in the United States a German language press with ramifications in practically every part of the country, which German language press was represented by large dailies in the principal cities of the United States. This German language press was supplemented by a vast number of periodicals and magazines printed in the German language and widely distributed, the official newspaper directories showing that upward of 1,100 German language publications were in existence in the United States at the outbreak of the European war.

With this situation before them the Imperial German Government had some reason to feel confident in August, 1914, that there was a powerful German influence in America, and if taken in hand and organized and properly directed by skilled agents of the German Government, the American Government's policies could be molded to suit the interest of Germany. To this end the German Government inaugurated within the United States a propaganda system, the main objects of which were—

First. To prevent the shipment of munitions of war and supplies of various kinds to the allied Governments who were at war with Germany, by peaceful or other means; and

Second. To keep the United States on a peace footing and at all hazards prevent the United States from entering into the European war as an ally of France and England.

Third. To maintain its solidarity of the German and Austrian elements of our population and to retard their assimilation.

Almost immediately after the outbreak of the European war the German Government sent to the United States Dr. Heinrich Albert,

a privy councilor of the German ministry of the interior, as a special commercial agent to have charge of the financial affairs and general direction of the German propaganda in the United States.

Dr. Albert arrived in August, 1914, and at about the same time Dr. Dernberg, who was secretary of state for the colonies in Germany, Dr. Isaac Straus, Meyer Gehardt, and Capt. Hecker, arrived, all of the above being members of a so-called German commission, the ostensible object of which was to purchase supplies of various kinds for transshipment to Germany, including munitions of war. This group brought with them \$150,000,000 in German treasury notes, with the expectation that these would find a ready sale in the United States. As a matter of fact, only \$5,000,000 of these notes were actually used and these were used for the purpose of collateral in raising money.

Later on other financial arrangements were made by the German representatives in this country by means of the sale of German bonds and other Government securities and the transfer of credits, and the evidence shows that at least \$35,000,000 was raised and expended by the German Government in the United States for various purposes during the period from August, 1914, to February, 1917.

Upon the arrival of Dr. Albert and Dr. Dernberg and their group there was an immediate organization of the German representatives, including the embassy forces, and the work of the various departments was laid out along the following lines:

Dr. Albert established headquarters in the offices of the Hamburg-American Line, 45 Broadway, New York City, took over one Carl Heynen, agent of the Hamburg-American Line at Tampico, Mexico, as his main assistant, established financial connections with a number of important private banking houses and trust companies, and, with Count Von Bernstorff, the German ambassador, proceeded to get in touch with important and influential people and concerns in the United States who were considered favorable to the German cause. American agents and representatives were employed to negotiate the purchase of ships, grain, cotton, rubber, and supplies of every nature and description ostensibly for shipment to Germany.

Under Albert's and Von Bernstorff's direction, Capt. Hans Tauscher, representative of the Krupps in Germany, with the assistance of certain Americans, inaugurated the Bridgeport Projectile Co., which was financed by the German Government. This company built and partially equipped a large munition plant at Bridgeport, Conn., at an expense of upward of \$3,500,000. The ostensible purpose was to manufacture shells and other ammunition, which later on could be shipped to Germany. The real purpose was to deplete the country, for a period, of machinery and mechanical devices and to concentrate labor, and by the manipulation of wages to cause disturbance in other munition factories, and to buy up and control, temporarily at least, the available supply of powder. This enterprise started in the summer of 1915; the plant was built, a large quantity of powder was bought and held for a while, and certain labor disturbances were brought about in American munition factories located at Bridgeport, Conn., during the summer of 1915. Carl Heynen was treasurer of the Bridgeport Projectile Co. and, with Tauscher, directed its operations.

In connection with the work of Dr. Albert, Count von Bernstorff, the German ambassador, detailed Capt. Carl Boy-Ed, the naval attaché of the German Embassy in Washington, and Capt. Franz von Papen, the military attaché of the embassy, for special work, the purpose of which was to prevent the shipment of munitions and supplies to the Allies. Boy-Ed, as the naval attaché, used the organization of the Hamburg-American Line, especially Paul Koenig, head of the investigating bureau of this line, and his assistants to obtain information concerning the shipment of munitions and supplies, and to purchase or acquire by option to purchase various articles, such as rubber and copper, and it is in evidence that Boy-Ed employed certain American agents to endeavor to purchase large numbers of combustion engines and small boats.

In the early period of Boy-Ed's activities a certain group of German aliens and others were indicted by the Federal authorities for violating the neutrality of the United States by delivering supplies to German ships at sea.

Shortly thereafter an effort was made to prove that the British had violated the neutrality of the United States by similar practices. One witness before the committee, who admitted that he was an agent of the German Government and in the pay of Boy-Ed, claimed that he had undertaken to and had obtained the evidence showing that various affidavits and statements made by certain tugboat captains and others that supplies had been sent to British ships were untrue. Whether or not he did this at the instance of Boy-Ed does not appear.

In April, 1915, the German Government sent to the United States one Franz Rintelen, who undertook active work to prevent the shipment of munitions from the United States to the Allies.

Boy-Ed was suspected of complicity in various acts of violence perpetrated by Franz Rintelen, and his activities were so pronounced that it was requested by the United States Government that he be returned to Germany, and he was relieved as the naval attaché of the German Embassy on the 4th day of December, 1915, and subsequently returned to Germany.

Immediately upon Rintelen's arrival in the United States he was put in touch with David Lamar, "the notorious wolf of Wall Street," and a plot was conceived to stop the production of munitions by organizing labor employed in munition factories, and an organization was formed known as Labor's National Peace Council. Prominent Americans, including one United States Congressman, were enlisted in the movement. Meetings were held in various of the large cities of the United States and resolutions were adopted recommending that the manufacture, sale, and shipment of munitions to the belligerent powers, as well as all materials used in the production of the same, be prohibited by Executive proclamation.

A convention was held in the latter part of July, 1915, in the city of Washington, at which were present some 200 delegates from various parts of the United States, and determined effort was made to induce the President and Congress to declare an embargo upon the manufacture and sale of munitions to the Allies. This scheme was financed by the German Government, approximately \$500,000 being turned over to Lamar. The organization was broken up and never

accomplished anything of consequence for the German Government. The failure was in a great measure due to the action of Mr. Gompers, of the American Federation of Labor, who refused to give the movement any support. The leaders in the movement were all indicted by the Federal authorities for violation of the Sherman law in conspiring to instigate strikes in munition plants. Rintelen, Lamar, and one Martin were convicted and sentenced each to one year in jail.

Rintelen was engaged in attempting to further hinder the shipment of munitions by the placing of fire bombs on ships, in which work he was assisted by Dr. Walter Theodore Scheele, a German agent who had resided in the United States since 1909. Scheele was an expert chemist and has a complete knowledge of explosives, and prior to 1915 had operated a drug store in the city of Brooklyn.

In 1915 Scheele started a business in Hoboken, N. J., under the name of the New Jersey Agricultural Chemical Co., which was a cover up for the manufacture of bombs, which were placed by employees of the North German Lloyd Line on various ships. Scheele and Rintelen were assisted in this work by Capt. Otto Wolpert, pier superintendent of the Atlas Line, who had the immediate charge of distributing and planting the fire bombs. Rintelen, Scheele, and Capt. Wolpert and a number of others were all indicted by the Federal authorities and convicted. Associated with Rintelen was a man by the name of Steinberg, who is said to have come from Germany with tetanus germs to be used for poisoning horses which were being shipped to the Allies.

Paul Koenig, who was the head of the Hamburg-American Line secret investigators, entered the employ of the German Government very shortly after the war began, and served as head of the German secret service in New York City, working for Dr. Albert, Boy-Ed, Count Von Papen, and the German consul and Austria-Hungarian consul. Koenig maintained a great force of men.

Von Papen and Hans Tauscher, the Krupp agent, undertook a plan to blow up the Welland Canal in order to prevent shipment of grain from the Northwest to the Allies by way of the Great Lakes. A German agent who went under the name of von der Goltz had immediate charge of the plot. Von der Goltz and his immediate associates, as well as Tauscher, were indicted by the Federal grand jury. Von der Goltz made a confession to the effect that he was sent by Capt. Von Papen, Von Igle, Von Papen's assistant, and others with dynamite to blow up the Welland Canal. They found the canal guarded and abandoned the enterprise. Von der Goltz was used as a Government witness. Von Papen was a diplomatic agent and was immune from prosecution, and Tauscher was acquitted. All others involved in the plot were convicted.

Von Papen was also responsible for an attempt to blow up the Vanceboro Bridge, using for this purpose a man by the name of Werner Horn, to whom he supplied money, and arranged for a supply of dynamite, which was carried from New York City by Horn to Boston and from Boston to Vanceboro, Me., which attempt was only partially successful.

Von Papen was responsible and directing head of practically all of the violence work done by the German agents in the United States,

and it was through his agents and under his direction that numerous fires and explosions in munition factories were brought about and attempts at labor disturbances.

In a communication sent from the Central Purchase Co. (Ltd.) to the Prussian ministry of war under date of October 3, 1917 (see the record, p. 1930), Dr. Albert's statement of account of his dealings with Von Papen is set forth, in which he takes credit for payments amounting to \$280,000 as money being turned over to Von Papen while in America.

From a copy of a letter sent by Boy-Ed to Von Papen on the 3d of March, 1917, which letter is written by his excellency Von Igle Schwerin, the following is quoted:

Herr Von Papen's career closed with quite a disaster. He was charged with being concerned in many explosions in munition factories, in so far as that he had given the money for the procuring of materials and instructed the people. It appears, too, that some really childish arrangements were made, which every one capable of forming an opinion could have seen beforehand could not have the slightest use for us, whereas if the affair went askew a great injury must result. For example, the destruction of the Welland Canal, as well as the attempt to destroy a railway bridge in Canada. Even if both these had been successful, there were a lot of other ways for transporting the corn to the seaports, and the bridge, too, could only have upset the traffic for a few hours. Both attempts ended in absolute fiasco. The people who were involved in the affair will meet with a sentence and one, of the name of Horn, had become a cripple and will have to spend a year locked up in prison. All that could have been forgiven since failures in such things can not always be avoided, also much has been performed by Herr Von Papen advantageous to us.

It is clear that plans were made by the German Government for extensive and far-reaching acts of violence, much of which was frustrated by the activities of State and Federal officials and lack of cooperation by trusted German agents.

Capt. Tunney's testimony gives a fair account of the violent work of the Germans in and about the city of New York, which can be taken as a fair example of attempts in different parts of the country.

The German Government, no doubt, counted largely upon the fact that in the various munition and other manufacturing plants in the United States there were employed a large number of German and Austrian subjects, whose sympathies would be for Germany, and who would act in accordance with the wishes of the German Government, even to the point of destructive methods.

In conjunction with the activities of the German Government, through its representatives Von Bernstorff and Von Papen, to prevent the production and shipment of munitions during the year 1915, there was inaugurated by direction of Ambassador Dumba, the Austro-Hungarian minister to the United States, and Count Von Bernstorff what was known as the Liebau Labor Relief Bureau, which was an employment agency or bureau run by one Hans Liebau and organized and maintained for the purpose of taking Austro-Hungarians and Germans out of munition and other factories. This bureau had its headquarters in the city of New York, and branches in Philadelphia, Pa., Bridgeport, Conn., Chicago, Ill., Pittsburgh, Pa., and Cleveland, Ohio.

In a communication from the German Embassy to the foreign office in Berlin, under date of March 24, 1916, a review of the activities of

the bureau is given and the necessity of a continuance of the bureau is made evident. This report says, in part:

I take the liberty to refer to the communication of the imperial and royal Austro-Hungarian chargé d'affaires, dated March 4, concerning the Liebau bureau, copy of which was sent here. I see from that communication that nothing is known to the imperial and royal chargé d'affaires relative to the arrangements of the imperial and royal Ambassador Dumba, which included a subsidy of the aforesaid bureau for a lengthy period.

My inquiries have disclosed that in the course of a conference with Capt. Von Papen, Messrs. Rittmeister Hecker, Dr. Von Kleinwaechter, and Consul Otto, the Attaché Prince Hohenlohe, as representative of the imperial and royal ambassador, advised that the Imperial and Royal Government, as well as the German Government, would support the undertaking. On the strength of that announcement the activities of the bureau were also extended to subjects of the Imperial and Royal Austro-Hungarian Monarchy.

This communication then goes on to state that the bureau after being in operation for six and one-half months had received over 8,000 applications and had filled 4,466 positions permanently, one-third of whom were Austro-Hungarian subjects.

The report then continues:

Patriotic sentiment and allegiance for the fatherland among the workmen has undoubtedly been awakened through the activity of this employment agency. Repeatedly people have visited the central and branch offices in order to express their thanks for the assistance furnished them. However, I will not go into the question now as to whether or not the continuation of the bureau after the war appears desirable.

At any rate, for the period of the war the continuation of this institution is desirable and will be maintained for military reasons by the German Government even if the Imperial and Royal Government should withdraw its support from the bureau. Many disturbances and vacancies suffered by the war-material concerns, which could not always be removed quickly, but on the contrary often resulted in long-drawn strikes, can be traced back to the energetic propaganda of the workmen's relief.

This bureau was financed jointly by Germany and Austria and continued up to about the time when the United States entered the war. Germany paid two-thirds of the expenses and Austria one-third, and there is evidence that Germany's foreign office authorized a charge to be made by the embassy of \$25,000 toward supporting the Liebau Bureau, or the workmen's relief, as it was sometimes called.

Mr. Bielaski has testified that there were, approximately, a million German and Austrian reservists in the United States, and that the agencies of the Department of Justice, supplemented by various other governmental investigating bureaus, and the local police officials of the various cities and towns of the United States aggregated, approximately, 700,000 men. With such a force and the protection it afforded, a wholesale destruction of property would be almost impossible.

There is in addition one very potent factor which militated against the plans of the German agents, that is the high wages paid to the employees in munition factories and the natural aversion which the average man has for destruction or damage to the plant in which he is working and from which he is deriving his living. The fact remains, however, and is clearly established that well-defined plans were made to prevent the manufacture and shipment of munitions and supplies by destructive and violent methods which were only partially successful and covered only a short period of time.

Shortly after the arrival of Dr. Albert and Dr. Dernberg in the United States in August, 1914, there was established under their direction an organization for the dissemination of German propaganda through newspapers and the public press. This organization was known as the German Information Service and has been referred to as the German Information Bureau. It had its headquarters at 1123 Broadway, New York City, and was in the immediate charge of Dr. Carl A. Fuehr, together with a corps of translators, writers, and assistants, who conducted the operations of the bureau from the fall of 1914 down to about the 1st of February, 1917.

Dr. Bernard Dernberg was sent by the German Government to the United States ostensibly as a private citizen, but in reality to have general supervision of the publicity propaganda in the United States.

Dr. Carl A. Fuehr was the former commercial attaché of the German embassy in Tokyo, Japan, and came from Japan to New York shortly after the outbreak of the European war.

The bureau employed Mathew B. Claussen, who had been publicity agent of the Hamburg-American Line, as the ostensible manager of the bureau under Dr. Fuehr, and in the early stages of the bureau's operation publicity was given to the fact that the bureau was "conducted by M. B. Claussen," at the request of a number of American citizens who believed that the public desired to be informed as to both sides of the war, that it may form its own opinions from the facts. That, of course, was done to deceive the public, because the bureau was organized, financed, and directed by the official representatives of Germany.

The main functions of the bureau were to prepare daily what was known as an information sheet, which contained articles on the war strongly favoring Germany and giving information which tended to uphold the German cause. These sheets were sent gratis to newspapers all over the United States, from five to eight hundred newspapers being supplied with this service. In addition the bureau printed and distributed a large quantity of pamphlets, books, and leaflets, and in this connection worked in close conjunction with George Sylvester Vierick, editor of a weekly paper called the *Fatherland*, which was strongly pro-German and which had a wide circulation among Germans and German-Americans in the United States.

Dr. Dernberg's work was largely supervisory, so far as the bureau was concerned, he devoting a great deal of his time and energies to delivering lectures in different parts of the country and in getting in contact with men of prominence in literary and educational circles and enlisting the efforts of newspaper representatives to give a favorable comment on the German cause.

Dr. Dernberg and Dr. Albert undertook to negotiate the purchase of a great daily newspaper in the city of New York, and through agents and representatives made plans for the acquisition of some of the prominent newspapers, resulting finally in the purchase of the New York Evening Mail and the placing of Dr. Edward A. Rumely in charge as managing editor.

Dr. Dernberg's work as a propagandist in the United States came to a termination as a result of a speech which he made immediately following the sinking of the *Lusitania*, in which speech he justified the action of the German Government.

Dernberg was never credited as a diplomatic representative to the United States by the German Government, and he returned to Germany in June, 1915.

In December, 1914, the bureau engaged the services of Dr. William Bayard Hale to take charge of the publication of the daily information sheet. Dr. Hale was well known as an author and writer. Hale continued as head of the German Information Bureau from December, 1914, to December, 1915, receiving a salary of \$15,000 a year.

In addition to Dr. Hale and Vierick, Dr. Fuehr had the cooperation and assistance of Dr. Isaac Straus, who had charge of the Jewish propaganda, and Dr. Hecker, who had been sent from Germany to take charge of the German Red Cross. He was also assisted by Meyer, one of the directors of the Hamburg-American Line, and Privy Councilor Dr. Meyer Gehardt, who accompanied Dr. Albert from Germany. In addition there was Dr. Carl Mechlenberg and a group of translators and readers, who assisted in compiling the material for publication.

The scheme of propaganda was to write up each day a series of articles strongly pro-German in their character, which articles were compiled from the daily press, from German newspapers, German magazines, German books, and American books.

For the purposes of the bureau there were transported to them from Germany quantities of German literature, consisting of books, magazines, illustrated periodicals of various kinds, scientific publications, books on the war, and war articles. From these were built up the articles which appeared in the news sheets and in the various books and pamphlets distributed directly by the bureau or through the numerous organizations which were created for propaganda purposes.

The evidence shows that in Dr. Fuehr's files there were records of 3,906 different topics, out of which Fuehr had made use of 1,430 items, by either giving them to the newspapers through the German information sheets or otherwise.

In addition to the German information news service, the bureau maintained what was known as the Irish press and news service. This was maintained in separate offices at 42 West Forty-second Street, New York City, but was under the control of Dr. Fuehr and his agents. The active manager of the Irish press and news service for the Germans was one James K. Maguire, who, with his corps of assistants, sent out news-service bulletins two or three times a week to 18 or 20 newspapers in many of which he personally was interested and also to various daily newspapers. Copies of all propaganda material supplied by the Irish press and news service was sent to Dr. Fuehr.

Throughout the German propaganda work in the United States use was made by the Germans of the disaffection of the Irish toward England and common cause was made by the adroit German agents with the Irish-Americans, and throughout the various associations and societies inaugurated by German propaganda will be found the Irish-American element strongly affiliated, as in the early stages the German agents convinced numerous people prominent in the Irish-American groups in the United States of the justness of the German cause and the advantage of a close alliance of Germany and the Irish sympathizers as against England.

Dr. Albert's part in the propaganda work of the German representatives was to attend conferences with Dr. Fuehr, Dr. Hale, and others, advise on the general plan of propaganda and to himself deliver talks and lectures in clubs and in more or less exclusive circles of literary men and educators.

Part of the system was to enlist the aid and assistance of professors in American colleges as writers in favor of Germany, so that their personal influence and influence of their reports could be used to the advantage of the German cause.

There is in the record a list of men prominent as professors and teachers in various of the American universities whose services were enlisted in the cause of Germany and who wrote and lectured in favor of the German cause. Many of their writings were published in Verick's Fatherland in the first instance, and then widely distributed in pamphlet form.

A list of a number of the books distributed by the Fuehr bureau will be found on pages 1410 and 1415 of the record.

The Jewish propaganda, as stated, was conducted by Dr. Straus, who was sent here by Dr. Dernberg and Dr. Albert from Germany especially for the purpose.

It appears to have been the idea of the German Government that inasmuch as Russia was fighting against Germany, the Jews would naturally affiliate with Germany, Russia having oppressed them for many years.

Dr. Straus devoted himself to that work. Dr. Straus was assisted by a translator by the name of L. S. Malamede, who was sent from Germany for the purpose.

In a letter written by Dr. Straus to Dr. Albert, under date of October 20, 1914, the following is quoted:

The manipulation of the Jewish press in America, formerly casual, has now been changed by me into a regular systematic information service and organized on a firm basis. This was extremely necessary considering the peculiar nature of the Jewish press and the difficult conditions in other countries where Jews have not full citizenship. The confirmation of this opinion is furnished by the following article from Die Warheit, of which I spoke to you recently.

You see that the pro-German attitude of the Jews here has put the times into a tremendous rage. The bureau began business yesterday and I spend several hours there daily. Dr. Malamede works according to my instructions and under my supervision.

In another communication sent by Dr. Malamede about the same time is a report on his work in the Jewish press, showing the distribution of various pro-German articles in different Jewish publications in various parts of the United States.

The report shows that from the period of June 14, 1915, down to January 4, 1916, Dr. Straus received approximately \$28,000 from the German Government, presumably for a small part of the Jewish propaganda, for other records show that Straus received from Dr. Albert's office between four and five million dollars.

In further connection with the expenses of the German propaganda the following should be noted: That the German Government had spent up to June 21, 1915, on press propaganda in the United States the sum of \$786,000 and in addition to the sum of about \$1,700,000 expended in the purchase of the Evening Mail and its manipulation. In addition to the money spent in New York, the

German consuls throughout the country were furnished various sums by Von Bernstorff for different purposes, and the aggregate amount expended by the German Government for the purpose above stated is believed by your committee to be greatly in excess of the amounts disclosed by the evidence. A press bureau was maintained at San Francisco by the German consulate, and the evidence shows that large quantities of propaganda literature were sent by the Fuehr Bureau into Mexico.

As part of the information service there was operated and maintained what was known as the Trans-ocean News Service, which was operated under the direction of Dr. Fuehr and his assistants, which was a wireless news service from New York to Berlin by way of Sayville, Long Island, and the Nauen wireless station in Germany. By means of this service the German agents operating under the direction of Dr. Albert and Dr. Fuehr were kept in direct communication with Berlin at all times and news information covering every conceivable phase of American activities was collected, classified, and forwarded to Berlin, and it was by means of the wireless service that a great deal of the current information concerning war happenings that went to make up the German information sheet was received.

At the commencement of the European war there were wireless plants located at Sayville, Long Island, and Tuckerton, N. J., owned and controlled by German interests, capable of receiving and transmitting messages to and from Berlin. Through this means of communication material received from Germany was forwarded to various centers for distribution in Central and South America and the West Indies by cable. The expenses of the New York bureau conducted by Mr. Fuehr for such cable service amounted to many thousands of dollars a month.

A letter from the German propagandist agent at Corumba, Brazil, dated May 27, 1916, which was intercepted by the British secret service, reads, in part, as follows:

It would be very fitting if immediately after the war a commission of wireless telegraphy was sent to all the States of South America to obtain concessions from the different governments for the establishment of wireless stations and to start constructing the same immediately. The Sayville-Tuckerton station has been invaluable and without it South America would have been in the hands of the Anglo-French news service. The establishment of wireless is certainly cheaper than cable and impresses Creole governments about its simplicity and modernity.

All of the propaganda work in the United States, Mexico, and South America was conducted under the immediate direction of the German foreign office at Berlin by the central section for foreign news service, or Zentralstelle für Auslandsdienst. This section of the foreign office was under the immediate direction of Dr. Thiel, and was the bureau to which Dr. Fuehr reported. It was charged with the preparation of news matter, films, books, etc., for war propaganda in foreign countries and was the principal source from which foreign newspaper correspondents in Berlin obtained material for their dispatches.

One of the principal and most important means of disseminating German propaganda was through the medium of moving pictures, and early in the year of 1915 the German Government organized in

the United States a film corporation known as the American Correspondence Film Co., with headquarters in the city of New York, for the purpose of receiving from Germany moving-picture films of various war scenes and civil life in Germany for dissemination through the moving-picture houses in the United States

In a letter of Zimmerman, secretary of foreign affairs of the German Government, dated March 1, 1915, addressed to Count Von Bernstorff, directions are given for the carrying on of this type of propaganda. The letter states, in part, as follows:

I beg to advise your excellency that 5 copies of a film 1,200 meters long will shortly go to the German Bureau of Information in New York.

As propaganda through pictures has shown itself to be remarkably effective in neutral foreign countries, it seems expedient to place this work of publication on a greater basis than heretofore.

* * * * *

In consideration of the fact that the sending of larger packages to the United States at this time encounters insuperable difficulty, the establishment and extension of a central place in New York, organized on a large scale, seems imperatively necessary. In this case particularly sharp proofs of all photographs and films received here should be sent in two exemplifications in letter form by different routes to the central point in New York. The latter could then, by calling on experts and persons well informed of conditions there—

1. Have produced from the original photographs there on the spot duplicates, enlargements, stereotype plates, illustrated writings and compositions, stereopticon pictures, etc.

2. Undertake the exhibition of this entire picture and films in the whole country through agencies to be established in all the larger cities.

In a report of Dr. Fuehr to Dr. Albert under date of April 20, 1915, the former states:

As I had the honor to explain briefly at the session of the press bureau on the 12th of this month, it seems settled that an especial registered company will be formed to obtain good war films in Germany adapted to propaganda in this country and to circulate the same in the United States.

* * * * *

According to the wireless received here yesterday, the plan mentioned has been officially approved in Berlin.

The company, whose incorporation under the firm name "American Correspondence Film Co." has been accomplished to-day under the proper authorities, is in need of a capital of nominally \$10,000, divided into 1,000 shares of \$10 per share.

The interest of the Imperial Government in this undertaking consists in the facts that the company should not work for the greatest possible financial profit from the disposal of the war films, but lay chief emphasis on the greatest possible circulation of them in the most respectable film theaters of the land.

The company was incorporated with a nominal capital of \$10,000, which was shortly increased to \$140,000. The enterprise was placed in the hands of Mathew B. Claussen, of the Hamburg-American Line, associated with whom were Felix Malitz, Adolph Ingel, and Dr. Fuehr, the latter retaining control of the company. The enterprise was largely financed by German money, and a scheme was adopted of smuggling films into the United States by way of neutral countries through arrangements made with the chief stewards of certain steamships. As a result of these activities, Malitz and Ingel were indicted by the Federal authorities, convicted, and sentenced to terms of imprisonment.

A great many films were brought over, the company having sent two men to Germany to take the pictures and write the scenarios,

and there was considerable distribution throughout the moving-picture houses of the United States. An effort was made to interest the Hearst Film Service in handling all of the films obtained and produced by the American Correspondence Film Co., but the proposition was not consummated.

Under date of December 3, 1915, Dr. Fuehr makes a report to Von Bernstorff which indicates that the display of films was considered by him to be effective. The letter, in part, is as follows:

Our opponents now seem to have recognized the effectiveness of this propaganda and are exhibiting films from their fronts, which do not fail to make an impression, with extraordinary outlays for extensive advertising and under the patronage of the highest personalities. Some of the films exhibited are quite excellent; others are obviously maneuver pictures, which, however, have a thrilling effect upon the public.

* * * * * * *

Would it not be possible to secure similar pictures of our fronts for distribution to the American Correspondence Film Co.? We have far more celebrated men to introduce than any of our opponents; we have the most varied fronts; we have a much grander organization.

With the films which we have heretofore received, mostly from Austria and much from Germany, our business manager, with a skill highly worthy of recognition, has made up four good film dramas, but there is no doubt that he would do much better if our people were given more opportunity to take interesting views.

According to the books of the American Correspondence Film Co., it had received up to October 31, 1915, from the German Government the sum of \$78,600.

In May of 1916 the assets and property of the company were turned over by the German Government to Malitz and wound up their direct connection with the film business.

As part of the German propaganda system in the United States, Dr. Albert, Count Von Bernstorff, and other German representatives and agents were particularly active in the organization of and subsidizing of innumerable societies and leagues formed for the purpose of spreading German propaganda, and one at least for the definite purpose of influencing national legislation.

A review of all of these organizations and their various ramifications would be impracticable, but reference may be had to the most important ones as typical of this part of the system.

The most important and far-reaching of the efforts made by the German Government and its sympathizers was the organization of what was known as the American embargo conference, which was organized in the summer of 1915. Those in direct charge of the movement were William Bayard Hale, then in the employ of the German Government and connected with the Dr. Fuehr Bureau; one G. H. Jacobson, from Chicago; Carl E. Schmidt, of Detroit, Mich.; Rev. Charles F. Aked; Will R. McDonald, a newspaper man, who was engaged as press agent; and George F. Hanscher, president. The organization was incorporated in September of 1915 under the laws of Illinois. The organization and its activities are described in a report made by Jacobson to William Bayard Hale, which reads in part as follows:

The organization of the American embargo conference was first formally discussed at a meeting held in Detroit on July 10, 1915. This meeting was attended by representative men from Illinois, Ohio, Indiana, Michigan, Minnesota, and several other States.

At this meeting numerous plans were canvassed in an effort to adopt one that would be most likely to bring about the success of the embargo movement, and when the plans had been outlined the committee adjourned to allow the representatives to consider them all thoroughly, with the understanding that they would be again canvassed at a meeting to be held in Chicago on July 24.

A meeting was held in Chicago, and the plan adopted was to endeavor to influence the voters of the United States, particularly the German-American voters, to use every effort with their Congressmen and Senators to pass a resolution which would be introduced prohibiting the shipping of munitions and supplies to the Allies. The plan adopted was exceedingly comprehensive, in that it contemplated a local organization in every town and city in the United States and the obtaining of signatures to individual declarations by voters who either were opposed to the shipment of munitions and supplies to the Allies or who could be persuaded to oppose the shipment.

The report of Jacobson to Dr. Hale states:

The first weeks of the campaign taught us that it would be necessary for the conference to depend in many ways upon the workers in the different localities, and this brought about the plan to establish local branches of the conference in all of the cities, towns, and villages of the United States.

This work has been pushed rapidly during the past two weeks, and already the conference has found that the local organization plan will make it possible to have the vote lined up and under orders in time to make it possible for the voters to show the Congressmen a strength that they will be afraid to ignore.

The method of doing this has been to secure the name or names of persons in different localities who are known to be strongly in favor of an embargo. We have secured these names in different manners. In one way we sent out letters to the editors of the different German papers of the country asking them to supply us with names. Again, we took the names of writers who had secured some of our postal cards and had not contented themselves with sending in their pledges, but had written for more cards or had sent in contributions to help the movement or had written to ask in what manner they could give their services.

And further on the report states:

In addition to all this, a staff of German-American speakers, under the direction of Dr. Herman Gerhard, has been at work among the German-American organizations of the States of Illinois, of Indiana, of Michigan, of Wisconsin, and of Nebraska, and these speakers have been teaching the doctrine of organization until we can say that it has been well drilled into the German-Americans of these sections, and already they are at work lining up the voters of other nationalities.

* * * * *

To aid in the initial work in Illinois, Dr. Gerhard, an excellent speaker and a most successful organizer, was brought to Chicago from Texas, and, as has been said before, was placed in charge of the speakers of our German-American bureau. Dr. Gerhard first devoted his time to the German-American societies of Chicago, and his success in securing their hearty support and offers of assistance was such as to lead the conference to add other speakers, and these men are now being sent out as rapidly as our funds will permit.

The report then goes into more detail about describing the distribution of literature of various kinds, including pamphlets and copies of editorials from certain prominent American newspapers which were in favor of the embargo, and then says:

To-day J. J. Tobias, of the Friends of Peace, in an interview in the Chicago Herald, declared that the Teutonic voters of the country to the number of five million were "going to raise hell with any party not in our favor." One month ago this statement would have called down the wrath of a score of editorial writers. To-day the editorial writers and the politicians are wonder-

ing just how close to the right number of voters Mr. Tobias was when he put the figure at five million.

And if the American embargo conference's success continues to grow as it has been growing during these early and trying weeks of its short career the politicians of the country will find that the Teutonic voters of the country are not standing alone but are lined up with other Americans in a body of Americans who are all real Americans and of so many nationalities that no one will attempt to drag out one nationality and attempt to hold it up to scorn as the friends of the munition forces have been attempting to do with the German-American vote.

The report shows that the embargo conference was particularly active in the States of Illinois, Indiana, New York, Arkansas, Alabama, Kansas, Minnesota, Missouri, Ohio, Texas, Iowa, and Michigan.

As a result of the activities of this group which composed the embargo conference the members of Congress were flooded with numerous prepaid telegrams from all over the country, all of which telegrams were prepaid by the embargo conference in different forms and made to appear as though coming from separate groups of people who were solely prompted by their own views in sending the request.

The embargo conference continued its activities through 1916 and into the early part of 1917. It was financed in part by contributions made by citizens, many of whom were of German extraction, and a partial list of these contributions appears in the record on pages 1508 to 1512.

Confidential communications which passed between Von Bernstorff to the foreign office in Berlin and from other German agents, show that the movement was financed in a large measure by the German Government.

Reiswitz, the German consul at Chicago, under date of December 21, 1915, sent a cipher message to the German ambassador requesting financial assistance for the embargo conference to the extent of six or seven thousand dollars to continue its activities, stating that the embargo conference has rendered service worthy of acknowledgment.

In September, 1916, Von Bernstorff sent a message to the foreign office, Berlin, in part, as follows:

The embargo conference in regard to whose earlier fruitful cooperation Dr. Hale can give information, is just about to enter upon a vigorous campaign to secure a majority in both Houses of Congress favorable to Germany, and requests further support. There is no possibility of our being compromised.

And later, on January 22, 1917, just prior to the breach in diplomatic relations, Count Von Bernstorff sent the following message to the foreign office in Berlin:

I request authority to pay out up to \$50,000 in order, as on former occasions, to influence Congress, through the organization you know of, which can perhaps prevent war. I am beginning in the meantime to act accordingly. In the above circumstances a public official German declaration in favor of Ireland is highly desirable in order to gain the support of Irish influence here.

It was about this time that the embargo conference, which had been continued by popular subscription as well as by German subsidy, was causing telegrams to be sent to Congressmen and Senators from all parts of the country, urging them to stand firm against any declaration of war. Specimens of these telegrams are as follows:

Your constituents urge and expect you to stand like a rock against the passing frenzy of insane and criminal folly on the part of the small portion of interested persons who are clamoring for war. We want peace. Nothing warrants any other action.

Another reads as follows:

If warlike rumors coming from Washington are true, will you let me reassure you that the great majority of your constituents stand for peace, believe war now unnecessary and uncalled for, and will resent being precipitated into the European conflict.

In the early stages of the activities of the embargo conference, in 1915, Dr. Hale organized a women's auxiliary known as the League of American Women for Strict Neutrality, which had its headquarters in the city of Baltimore. The object of this association was to enlist the women of the United States against war and the shipment of munitions and supplies to the Allies.

At one of the conferences held at Dr. Fuehr's office, written report of which is in the record at page 1394, the following appears:

Mr. Hale then reports concerning the progress of his negotiations with the Baltimore ladies concerning the propaganda against the export of arms.

All preparations were made for carrying through the project of poster advertising. A pamphlet entitled "Thou shalt not kill," written by Mr. Hale, has been printed and will be sent out. Signatures to a petition to Congress collected by the ladies now number 200,000 and will in time perhaps reach 600,000. The ladies have applied for assistance in their campaign to a number of persons named by Mr. Hale. It is suggested that it be put up to the ladies to address the petition to the President and Congress and not wait until the collection of signatures is complete before sending it to Washington, but send them at once in batches of about 10,000.

The League of American Women for Strict Neutrality received \$20,000 from the German fund for poster advertising, which sum was paid through Dr. Hale.

In the same report the following is stated:

Mr. Claussen proposes to have a film prepared for propaganda against the exportation of arms, which shall exhibit the manufacture of American shrapnel munition and afterwards show in drastic style the results of the use of this munition.

Mr. Hale reports that Mrs. Hale is busy upon propaganda against the exportation of horses. Mr. Claussen undertakes to have a correspondingly touching scenario (story of former fire-brigade mare slaughtered in Flanders) written.

At this same conference, which took place on May 24, 1915, the report states:

Mr. Hale calls attention to the interview, printed in the evening papers, with the surviving passenger of the *Lusitania*, Dr. Foss, who has arrived here. It is resolved that Mr. Claussen have the said Foss interviewed as to whether the *Lusitania* had any guns mounted on the deck at the time she was torpedoed. Mr. Meyer undertakes to prepare a collection of newspaper clippings in his office containing statements of passengers, etc., which show the blame attached to the Cunard Line. Mr. Fuehr will also prepare a similar collection.

The evidence shows that an attempt was made on the part of the German Government to prove by various false affidavits of passengers and those who claimed to be passengers that the *Lusitania* carried guns mounted on her forward deck, all of which was afterwards disproven and admitted to be false by German representatives in this country. However, as a result of Dr. Fuehr's work, enormous publicity was given to the claim of the Germans that the *Lusitania* was armed and consequently the act of the German submarine in sinking her was justified.

As part of the German propaganda system there was incorporated by one Jeremiah A. O'Leary, an American citizen of Irish extraction, what was known as the American Truth Society, which had

a very large membership, made up principally of Germans and German-Americans and American citizens of Irish extraction. This association had its headquarters in the city of New York and had among its prominent members and organizers such men as George Sylvester Viereck, Bernard H. Ritter, of the New York Staats Zeitung; Frederick F. Schroeder, associated with Viereck in the publication of the Fatherland; and Jeremiah A. O'Leary, who was the president of the society.

O'Leary's activities were mainly directed to lectures and addressing public meetings in New York and in various parts of the United States, writing articles for the German propaganda publications, and conducting a publication of his own known as The Bull. O'Leary's writings and speeches were violently anti-British and upheld the cause of Germany as against England.

The society published a large number of pro-German and anti-British pamphlets and books, which had a wide distribution, a list of which is found on page 1541 of the record. An examination of these pamphlets and books show their violent anti-British and pro-German character.

Just how much the German Government assisted in financing the American Truth Society has never been developed, but the records show the transfer of approximately \$10,000 to the society through a banking house in New York, which money came from the German Government, and a direction by Dr. Albert in a letter of April 19, 1915, to another banking house to pay over to the treasurer of the society the sum of \$500 and charge the same to his account.

The society was maintained in a large measure by financial contributions of its members, 80 or 90 per cent of the contributors being German or German extraction.

O'Leary is under indictment by the Federal authorities for violation of the Federal statutes on account of his activities.

This society was particularly active during the year 1915 in the concentrated effort being made to induce Congress to place an embargo upon the shipment of munitions and supplies to allied Governments, and to the formation of a large association of various pro-German societies which went under the name of the Friends of Peace, which was organized through the assistance of the German-American Alliance of the city of New York, of which Henry Weissman was president.

The Friends of Peace held two large meetings in 1915, one in Madison Square Garden, in New York, and one in Chicago, which meetings were addressed by prominent Americans who were in favor of peace for the United States at any price and who were particularly in favor of an embargo on shipment of munitions to the Allies. These addresses were widely distributed by the various pro-German organizations throughout the United States.

In their efforts to create a sentiment in the United States against the manufacture and shipment of munitions to the Allies, the German agents under the direction of Dr. Albert, acting through Dr. Rumley, undertook the preparation and publication, in April, of 1915, of what was known as an appeal to the American people, which was published in most of the foreign language newspapers of the United States on or about the 5th of April, 1915, and in about 70 of the principal

daily papers published in the English language. This propaganda was handled by Louis N. Hammerling, president of the American Association of Foreign Language Newspapers, which has its headquarters in the city of New York. A great deal of evidence has been given concerning the operations of this association in connection with the propaganda conducted for the United States Brewers' Association. Mr. Hammerling appeared before the committee and was examined at length, as well as other witnesses who testified on the same subject.

The American Association of Foreign Language Newspapers is a corporation of which Mr. Hammerling had the controlling interest. It is, in fact, an advertising agency of the foreign-language press of the United States, and through the parceling out of advertising contracts and business by Hammerling its so-called membership was held together and was used by Hammerling and others who retained him for political and propaganda purposes.

Hammerling's clients consisted of a considerable number of large national advertisers, whose annual appropriations for advertising purposes ran up into very large amounts of money. This advertising was distributed among the foreign-language papers by Hammerling, who received a commission for placing the advertising contracts with the newspapers that belonged to his association.

This association, in existence since about 1908, embraced between six and seven hundred newspapers published in various parts of the United States in about 30 foreign languages, exclusive of the German language, and including Bohemian, Italian, Jewish, Polish, Hungarian, Servian, etc.

It is quite clear from the testimony of witnesses and from the practices shown by the arrangements made between Hammerling and the brewers' association that most, if not all, of the foreign-language papers accepted and printed practically anything that they were requested to do by Hammerling in the way of news and propaganda articles.

The plan of publication of articles was as follows: The Association of Foreign Language Newspapers published a bimonthly magazine known as the American Leader, in the English language and to which various writers contributed articles. Many of these articles were translated into the various foreign languages, printed in proof form, and sent to the foreign-language newspapers who were members of the association for publication.

In the case of the brewers who used the Hammerling association extensively a long series of articles on personal liberty were published first in the American Leader, translated into 27 different foreign languages, and sent in proof form to the newspapers, and republished in the language of the individual paper. Mr. Percy Andrae, representing the brewers, prepared these articles which were signed by Hammerling.

In March, 1915, Hammerling was approached by Dr. Rumely with a proposition to publish in the foreign-language press an appeal to the American people against the manufacture and shipment of munitions to the Allies. Hammerling denied knowledge of the fact that Rumely was working for the German Government, claiming that he went into the proposition purely from the standpoint of financial

profit. This, however, is denied by one of his former associates, who had assisted in the preparation of the article. The appeal was prepared and arrangements were made to publish the same in some five hundred of the papers who were members of the association, as well as in some seventy English-language papers. The consideration agreed upon was \$205,000. The appeal was published, as arranged, on or about the 5th of April, 1915, in the daily papers and continued to be published in the weekly papers at intervals during the month of April. This appeal appears on page 568 of the record and reads, in part, as follows:

We appeal to the American people, to the high-minded and courageous American press, and to the American manufacturer of powder, shrapnel, and cartridges, and we appeal to the workmen engaged in the plants devoted to the manufacture of ammunitions for use of the nations at war to immediately cease making powder, shrapnel, and cartridges destined to destroy our brothers, widow our sisters and mothers, and orphan their children, as well as destroy forever the priceless possession handed down by our ancestors.

We appeal particularly to the American manufacturers and their workmen engaged in manufacturing any of these articles to suspend at once the manufacture of powder and bullets, which are being made for the cruel and inhuman purpose of mutilating and destroying humanity.

We appeal individually to the workmen of such factories, even at the sacrifice of their positions, to go on record as being unalterably opposed to being employed for the purpose of manufacturing ammunition to shatter the bodies and blot out the lives of their own blood relatives.

It appears from the evidence that Hammerling had sent agents and representatives to the principal munition manufacturing centers prior to the publication of the appeal in order to ascertain the nationality of the various workers in the munition plants. Men were sent to Bridgeport, Conn.; Illion, N. Y.; Bethlehem, Pa.; and to munition plants in Brooklyn. Hammerling denied that these men were sent to stir up any labor troubles, but were merely sent to ascertain the extent of the foreign element employed in the plants.

This appeal had an enormous circulation, and, of course, was designed by the German agents to reach the foreign-born element outside of the Germans and to add the weight of this element to the general propaganda being conducted at the same time by the various propaganda organizations throughout the country.

The extent of the circulation of the foreign-language press controlled by Hammerling at about this time is described by Percy Andreae in a report made to the brewers' association on October 15, 1915, as follows:

The personal-liberty articles appearing in the American Leader are being republished in 30 languages in whole or in part by about 800 newspapers, with a total circulation of 6,000,000 copies. There are thus being reached through this channel 18,000,000 readers biweekly. The organization of this press and the elements surrounding it by the American Association of Foreign Language Newspapers has now reached the stage at which practical results can be obtained throughout the country by the application of proper organization methods in any locality where this press is represented. This has been proven beyond question in Ohio, where in the last campaign, through the instrumentality of the foreign-language press, registration of voters of foreign origin or foreign extraction exceeded in one county alone by over 20,000 anything ever known in the political history of the county.

It developed in the examination of Hammerling that, although the latter at times claimed to be an American citizen by naturalization and to have been born in the island of Hawaii, in fact he was born

in Galacia, under the sovereignty of the Austrian Imperial Government; that he had made a false affidavit upon his application for naturalization in the State of Pennsylvania in 1901 and upon his own admission had only resided in the United States for a period of three years prior to his application for naturalization papers. He admitted that his principal property interests were in Galacia, and, while denying all knowledge of the fact that the German Government had employed him and his association for propaganda purposes, admitted that he could see no harm in the appeal, as it was done purely for financial profit.

It appeared from Hammerling's statement and from other evidence that all of his personal books, papers and documents, and the records of his association, covering the years 1915 and 1916 have been destroyed.

No other evidence on the use of the Foreign Language Press Association for German propaganda purposes was obtained, but it is clear from the evidence that Hammerling was employed for a definite purpose by the German agents and the record indicates that he knew at the time the purpose for which he was being employed.

It appears from the evidence that there are several thousand foreign-language publications in the United States, of which a large number were unpatriotic and disloyal to the United States, its principles and institutions, and it has been established that some of these were subsidized by the German and Austrian Governments. Nor was the foreign language press alone responsible for all pro-German propaganda. Many English newspapers, both before and for months after America entered the war, while not shown to have been actually subsidized nor charged with actual violation of the espionage act, persisted in the endeavor through editorials, news columns, and cartoons, to create a popular prejudice against the war and against effectual action on the part of the United States. The effect of this attitude on the part of these English newspapers was to encourage Germany and German sympathizers.

One of the most effective organizations of the German propagandist system was the German University league, an organization formed in the city of New York by a group of Germans, German-Americans, and American citizens who were strongly pro-German in their sympathies, including Dr. Edmund Von Mach; William R. Shepard, of Columbia University; M. R. Hine, George Viereck's father-in-law; Dr. Hugo Schweitzer, chief chemist of the Bayer Chemical Co., and others.

The constitution states the purpose of the league to be—

1. To establish in the United States a well-organized center for former students at German Universities and other German institutions of similar standards in Germany, Austria-Hungary, and other countries.
2. To cooperate with every effort to strengthen the regard for the Germans and for their aims and ideals, and to secure for them fair play and proper appreciation.
3. To correct misinformation about German conditions and problems by placing before educated Americans and before the press of this country reliable material bearing on German affairs.

This organization had branches in New York City; Boston, Mass.; Philadelphia, Pa.; Richmond, Va.; Atlanta, Ga.; Chicago, Ill.; St. Louis Mo.; Milwaukee, Wis.; Kansas City, Kans.; Dallas, Tex.; and

San Francisco, Calif. Its membership was made up of college professors, writers, publishers, clergymen, scientists, and, generally, men of higher education.

There is little evidence of the actual activities of this membership as a group, with the exception of the work of Dr. Edmund Von Mach, who wrote several books in favor of the German cause, wrote continuously for the newspapers, and presented a petition to Congress on the 2d of April, 1917, urging Congress to refuse to declare war against Germany. This petition is found on pages 1532 to 1536 of the Record.

The only evidence contained in the record that the German University League was subsidized by the German Government agents in the United States is contained in a message of Count Von Bernstorff to the foreign office, dated November 1, 1916, in which Von Bernstorff states as follows:

Since the *Lusitania* case we have strictly confined ourselves to such propaganda as can not hurt us if it becomes known. The sole exception is perhaps the peace propaganda, which has cost the largest amount, but which also has been the most successful.

Latterly I have been using the embargo association and some entirely reliable private intermediaries. I have also made use of the German University League, founded since the war. This has done its best to take the place of the German Association, which has been of no use during the war on account of its management. The league has published under my collaboration an excellent collection of reports on the war, which will be of great service to our cause. The support which I have already given the league is entered in the first quarter's account for 1916, item No. 208. On the occasion of later installments to them I will refer to this report. I ask that this be sanctioned.

It would be difficult to write a full and complete history of the ramifications of the German propaganda in the United States from the time of the beginning of the European war down to the date of the departure of the official German group in February, 1917. Much of the material available discloses connections of various individuals and firms now under investigation by the Department of Justice and other information of persons now under indictment and awaiting trial.

It is needless to say that perhaps only a comparatively small part of the whole system will ever be known.

Sufficient evidence has been produced before this committee to establish the fact of the inauguration in the United States of a widespread system and most of its principal ramifications and activities.

There is a sharp line of demarkation to be drawn between legitimate commercial enterprises conducted by a foreign power within the United States and propaganda conducted for the purpose of influencing public opinion and official action.

In order to prevent the assimilation of the aliens coming to this country, the Austrian Government organized the large financial institution, having branch offices throughout the country, and the active endeavor of this institution was to secure the funds and earnings belonging to aliens for transfer to their native country. In this way as much as \$400,000,000 was annually sent out of this country. In connection with these financial activities, this institution promoted the separatist movement, having for its purpose the holding together in nativistic groups the alien elements of our population.

BOLSHEVISM.

On the 4th day of February, 1919, the Senate adopted the following resolution, No. 436, and in pursuance to the directions therein contained your committee proceeded to make the inquiry requested, and the testimony taken by your committee is contained in the printed record, entitled "Bolshevik propaganda," which is herewith transmitted.

Resolved, That the authority of the Committee on the Judiciary conferred by S. Res. 307 be, and the same hereby is, extended so as to include the power and duty to inquire concerning any efforts being made to propagate in this country the principles of any party exercising or claiming to exercise authority in Russia, whether such efforts originate in this country or are incited or financed from abroad, and, further, to inquire into any effort to incite the overthrow of the Government of this country or all government by force, or by the destruction of life or property, or the general cessation of industry.

In order to determine the possible connection and relation between the principles of government advocated by those claiming to exercise authority in Russia and the several activities now being carried on in the United States, it was deemed essential that a careful inquiry be made to determine the exact nature of the so-called principles of government now being applied in Russia. The record includes the constitution and a compilation of many of the so-called laws in force in Russia from which the nature of the paper government can be determined and the testimony of many eyewitnesses of the attempted application of this paper government discloses the character and nature of the actual government in practical operation. The investigation which your committee has conducted convinces it that few of either the advocates or opponents, in this country, of the present Russian Socialist Federal Soviet Republic, are familiar with the fundamental principles upon which this Government is attempting to perpetuate itself. Consequently the agitation growing out of developments in Russia has largely degenerated into appeals to the prejudices and the animosities that are inherent in the selfish natures of most individuals and little or no appeal has been made to the intelligence of the people.

It is therefore not surprising that the word "Bolshevism" has now become merely a generic term, and in America is nothing more than a slogan of the elements of unrest and discontent.

By reason of their ignorance as to what Bolshevism as a code of political and social morals in Russia means, almost every dissatisfied element, from the radical anarchist to the theoretical idealist, has seized upon it as approaching something of a Utopian nature. It is interesting to note that every witness called before your committee as a champion of the cause of the principles of the Russian Socialist Federal Soviet Republic admitted that he or she had never read the constitution of the government of which he was the champion.

The word Bolshevism has been so promiscuously applied to various political and social programs that we feel that it is of paramount importance that the delusions and misconceptions as to what it really is, as it exists to-day in Russia, should be, as far as possible, removed and that the people of the United States should be thoroughly informed as to just what this much-discussed institution really is, both in theory and in practice.

Your committee is of the opinion that the best answer that can be given to the argument of the champions of this Russian institution is a true explanation of its real nature and the actual principles upon which it is founded as well as the unavoidable consequences that would follow its adoption. The word Bolshevik is the name of the party that controls the Russian Socialist Federal Soviet Republic and that dictated its constitution. We are, therefore, justified in using this name to identify the constitution which it dictated and in accepting that constitution and the laws that have been prescribed under it as the platform and program of Bolshevism.

The following are a few of the fundamental facts descriptive of Bolshevism and the form and character of the government established and operated by the Bolsheviks in Russia under the name of the "Russian Socialist Federal Soviet Republic."

It is the dictatorship of a class and is not a democratic form of government. In its actual application it has become an autocracy of a few individuals who exercise their authority and suppress all opposition by fear, terrorism, and force. It has developed into as much of an autocracy, though more cruel in its methods, as the monarchical government of the Czar's régime. Under the provisional government of Kerensky an effort was made to establish a democracy and to inaugurate a socialistic state under that form of government. With a view to establishing such a democratic government the provisional government, on July 22, 1917, ordered the election of the constituent assembly to be voted for by all of the people of Russia on September 30, 1917. Prior to this time general elections in Russia on an equal suffrage basis were unheard of, and it therefore became necessary for the provisional government to create the necessary election machinery and to secure a complete and impartial registration of the newly created electorate. The difficulties encountered in this undertaking made it necessary in August to postpone the election of the constituent assembly from the 30th of September to the 25th of November. This postponement was seized upon by the Bolsheviks as raising an issue through which they could attack the provisional government, and they charged that government with having an ulterior purpose in directing this postponement.

In raising this issue they appealed to the people to arise in defense of a democratic form of government by overthrowing the provisional government and securing for themselves thereby, through the Bolshevik Party, the benefits and advantages of a democracy and the election of a constituent assembly as an instrument which would make possible the establishment of a constitution based upon the equality of man and secure to all Russian citizens equal participation in the affairs of government. With this issue, among others, the Bolshevik Party overthrew the provisional government in the October revolution and immediately issued a decree (Exhibit 1, appendix of record of hearing) ordering "that the elections to the constituent assembly shall be held on November 25, the day set aside for this purpose" by the provisional government and ordering that the freedom of the ballot should be adequately safeguarded. At the appointed time the constituent assembly was elected and a canvass of the personnel of that assembly established the overwhelming defeat of the Bolshevik Party and the supremacy of other socialist parties,

whereupon the attitude of the Bolsheviki toward the constituent assembly underwent a complete change, and from that time their antagonism toward a constituent assembly, universal equal suffrage, and a democratic form of government has been manifested in every official act of the government and in the actual application of that government to the several activities of the nation.

In the original call for the election of the constituent assembly, December 12, 1917, had been fixed as the time of its meeting. It was not, however, until January, 1918, that the Bolshevik autocracy permitted the constituent assembly to convene. When it did meet the Bolshevik Party submitted to this representative body for adoption a set of resolutions denouncing the election at which it was elected, repudiating itself as representative of the electorate, whose commission it held, and declaring that there was no proper function for it to perform in the proposed new government of the Russian nation. (Exhibit 16, appendix.) As might well have been expected, the constituent assembly declined to pass this resolution, whereupon the Bolshevik members withdrew, and the constituent assembly was forcibly dispersed by the Red Guard, and a democratic form of government was lost to the Russian people. In its place has arisen the dictatorship of the small minority—headed by Lenin and Trotsky.

Lenin, president of the Soviet of Peoples Commissaries, frankly admits this in the following words:

Just as 150,000 lordly landowners dominated the 180,000,000 of Russian peasants, so 200,000 members of the Bolshevik Party are imposing their proletarian will on the mass. * * *

Nor is this dictatorship the result of a usurpation of power on the part of the officials of the Bolsheviki, but it is the recognized foundation upon which the whole governmental structure is erected, as is evidenced by paragraph 9 of the Bolshevik constitution, which provides as follows:

The principal aim of the constitution of the Russian Socialist Federal Soviet Republic in the present transitory period is to establish the dictatorship of the city and rural proletariat and of the poorest elements of the peasantry in the form of a powerful all-Russian soviet government for the purpose of completely suppressing the capitalistic class. * * *

[NOTE.—Under Bolshevism, the capitalistic class includes all persons who do not perform manual labor for a livelihood, or who employ any person in their business, or who own any property or receive any income, no matter how small the amount. The words "parasitic class" and "bourgeoisie" are popularly used by the Bolsheviki as synonymous with "capitalistic class.")]

It is perhaps difficult to realize that it has been possible to perpetuate a dictatorship of such a small minority through the many months which have passed since it came into power. Without some understanding of the nature and character of the actual activities of the Bolsheviki the casual observer would be persuaded that the tyranny of this autocracy would in a short time bring down upon its head the wrath of the majority, who with reasonable effort would have no difficulty in overthrowing the usurpers. A study of the actual methods and practices of the dictatorship, however, clearly establishes the helplessness of the great mass of the Russian populace. The Bolsheviki have inaugurated a reign of terror unparalleled in the history of modern civilization, in many of its aspects rivaling even the inhuman savagery of the Turk and the terrors of

the French Revolution. Under the evidence your committee has been compelled to impose the responsibility for this terrorism upon the government itself rather than attribute it merely to the excesses of individuals and groups undisciplined and untrained in the personal liberty acquired by them with the overthrowing of the centralized autocratic government of the old monarchistic régime. Terrorism and excesses in a state are either attributable to the encouragement of the state or the weakness and inability of the state to restrain the same. In Bolshevik Russia every instrument available for the exercise of force and power is in the possession of that government, and those opposed to the government or who fail to render it wholehearted support are completely suppressed and absolutely powerless. The government is more highly centralized and less restricted in the exercise of that centralized power than was the government of the Czar. The agencies used by the dictators in imposing their will upon the masses are less restrained and restricted in the exercise of their power by law, custom, or humanity than were the agencies utilized by the old régime. Economic domination unheard of and unsought in the past has been seized upon and usurped by the dictatorship.

All these facts negative the suggestion of the existence of a degree of weakness which makes the government impotent to exercise the necessary restraint. On the contrary, every act of terrorism is justified by the affirmative pronouncement of the Bolshevik government, either through its constitution and laws or the authoritative utterances of its officials. The government is founded upon class hatred, its avowed purpose is the extermination of all elements of society that are opposed to or are capable of opposing the Bolshevik party. "Merciless suppression" and "extermination" of all classes except the present governing class are familiar slogans of the Bolsheviks, and confiscation is adopted as an essential instrument in the governmental formula. As a guaranty of its perpetuation in power its underlying policy is that "the end justifies the means," and in the application of this policy the government denies the existence of any inalienable right in the Russian citizen and respects neither the right to life, liberty, or property. In its so-called declaration of rights the government adopts a policy which it hopes will result in "the destruction of the parasitic classes of society," and as an aid to this end has decreed as an essential part of its fundamental law the principle of arming one class and disarming another, with a view of making the extermination and destruction more effective. In practice, this government has classified all of those people who fail to sympathize with and support the existing dictatorship as the bourgeoisie, and has proclaimed the doctrine that their refusal to bow to the edict of the dictatorship should be answered by "violence toward the bourgeoisie." A careful survey of the innumerable acts of violence and terrorism committed in Russia will fail to disclose scarcely a single offense that has not been participated in either by their Red Guard, by Commissars, or by others having an official and governmental status.

The dictatorship, utilizing Lettish troops and Chinese laborers as well as to some extent German and Austrian prisoners and criminals

discharged from the jails as its so-called Red Guard to enforce its decrees, promptly secured possession and control of:

- (a) All arms and ammunition.
- (b) Practically all foodstuffs and commodities essential to the maintenance of life.
- (c) All clothing and household goods necessary for warmth and health
- (d) All gold, silver, and specie, including jewelry, ornaments, gold and silver plate.

This was accomplished by means of confiscation followed by the nationalization and monopolizing by the State of all commercial, industrial, and financial enterprises. Having secured possession of all of these instruments of physical and economic power and domination, this dictatorship was enabled to enforce the submission of most of the population to its will. The rank and file of the people of Russia had no other choice. They could not resist or oppose the Bolsheviki with force as they were without firearms and without ammunition. They could not refuse to obey its dictates else they would be starved to death. They could not defy the dictators, as they would be left without raiment. They could not sustain life with money possessing an intrinsic value, for they had none, and thousands have been starved to death and murdered as a result of this régime.

Possessing, therefore, every instrument necessary for the exercise of the forcible persuasion of the populace it became expedient to reinforce the dictatorship with an increased man power. Recognizing the state of the public mind it was necessary to guard against betrayal by those who were drafted into the service of the State, and the most effective weapons selected to secure the faithful execution of the will of the dictators were fear, terrorism, and a system of hostages. By this system of hostages the relatives, family, and loved ones of the drafted subject were held as prisoners. Their food supply, their clothing, even their lives, depending upon the fidelity with which the dictatorship was supported and its orders executed.

Having professed an adherence to the democratic form of government to assist in securing control of Russia the Bolsheviki, in establishing its paper government, sought to maintain its dictatorship under color of a representative political system. A recognition of the democratic principle that all men are created equal, however, would have necessitated the equal participation of all citizens in the affairs of government. Such universal participation in political affairs would have made impossible a dictatorship of the minority, but would inherently have been a rule of the majority and have accomplished just what the dissolution of the constituent assembly was intended to prevent. The following of the Bolshevik government being more numerous in the cities, and these by reason of their concentration within more restricted territorial limits, being more readily led and dominated, it was prescribed by constitutional direction that representation from cities in the government should be five times as great as the representation from the provincial districts. In other words, representation from cities is in the ratio of 1 to every 25,000 of the population, while from the rural districts and the territory of the peasants, who constitute a large percentage of the Russian

population, representation is 1 to every 125,000 of the population. Even this discrimination did not adequately safeguard the domination of the Bolshevik minority. Disfranchisement of large groups of the population was necessary. By constitutional provision they denied the right to participate in the government and disfranchised the following classes:

(a) All persons employing others in connection with the conduct of their business.

(b) All persons receiving interest, rents, dividends, or an income from financial or industrial enterprises.

(c) All merchants, traders and dealers.

(d) All clergymen, priests, and employees of churches and religious bodies.

(e) Certain persons connected with the Czar's government, persons mentally afflicted and persons convicted of certain crimes against the Bolshevik government.

Even with these restrictions upon suffrage the Bolshevik government has refused to undertake the election of a constituent assembly. The elections that are permitted are conducted under supervision of the Red Guard and local bodies or soviets that are not satisfactory to the dictatorship are removed and in some instances so-called commissars or officials of unquestioned loyalty to the government are imported from the cities to govern the affairs of the political unit (the local soviet) sought to be dominated according to the Bolshevik faith.

Confiscation on a wholesale scale has been used as a means of undertaking to create and maintain tangible assets that could be used as the economic foundation upon which could be built the industrial and financial superstructure of the Bolshevik state. By constitutional edict and by a series of decrees issued by the dictatorship all land, forests, and natural resources of Russia have been confiscated by the government in order that the Bolshevik government may become the landlord of the entire population and exercise the control incident thereto. Where a man shall live and toil and till the soil is determined by the State and the right to determine the nature and extent of each man's domicile, and the power to compel the migration of the peasant from the locality of his birth or adoption, even to the extent of separating families as the population of the various communities expands or contracts, is exercised by the Bolshevik government through the laws which it has decreed for the control of the people.

The alleged purpose of the seizure of land by the government was that the right to the land might be transferred to the rank and file of the people of Russia in order that the individual Russian peasant might become the unrestrained and unrestricted architect of his own future economic development, but the methods adopted by the Bolsheviks have merely transferred the landlordship from the large landowners, and in many instances from the peasant groups themselves, to the Bolshevik government, and the present control by that government is not confined to the land itself, as was the control of the landowners under the old régime, but extends as well to the persons and even the tools, implements, and products of the peasants. The aged and infirm are deprived of all right to utilize and enjoy during their

declining years the soil their efforts may have enriched, because their physical strength makes them powerless to perform all of the labor incident to its full cultivation. They, thereupon, become mere pensioners of the State. This system guarantees to the peasant only the present enjoyment of a given piece of land, and consequently only warrants him in so utilizing the beneficence of the State in according him the right to use the same as to insure the maximum present production to the exclusion of a scientific development that will enure to future advantage. In other words, an uncertain tenure is naturally accompanied by an exploitation rather than by a systematic development of the leasehold interest. Under this system, the peasant can never become the owner of the land he tills or of any other land. To aid in the system and to establish a larger control of peasant activities by the government the principle of confiscation has also been invoked in the case of all live stock and all agricultural implements, and as a consequence these essential instruments of land cultivation, these chattels necessary to the production of both meat and vegetable food-stuffs have become, without regard to the rights of former owners or the advantage to the individual of future ownership therein, the property of the Bolshevik government, and the only right thereto that the peasant can in the future acquire is a use upon such terms and conditions as the government may prescribe.

As may well be expected, there seems to be much difficulty in determining the manner in which this policy is being carried into actual operation, and it is apparent that only by the application of arbitrary methods can the already existing articles in these categories be made useful to any portion of the peasant population or be adequately protected and maintained so as to preserve their value. It is also interesting to contemplate, but dubious to predict, how meat-food products can under this system be maintained at a sufficient quantity to sustain life.

The thrift, industry, perseverance, and intelligence which has enabled a portion of the Russian people in the past to acquire and save money has also been penalized by the confiscation of all banks and banking institutions and their transformation into a state monopoly.

Confiscation under the milder term of nationalization has eliminated from all industrial establishments such as factories, mills, and mines the business acumen and scientific methods necessary to successful operation and competitive methods. The absolute control of their operation and management is placed in the hands of the employees. This has been followed by the stagnation of the industrial life of the country, and even those nationalized industries which have been able to operate under government control have operated at an enormous percentage of loss, the deficiencies being met from the unlimited issue of fiat paper money printed by the government. The nationalization of the enterprises essential to the production and delivery of raw materials has so handicapped their production as to restrict the quantity of raw materials available for the maintenance of industrial enterprises, and the whole economic condition of Russia has made it impossible to secure relief from foreign sources. These industrial conditions can only continue so long as the government can succeed in monopolizing the means of subsistence, maintain an adequate military

force to enforce the decrees of the dictatorship, and force the recognition of worthless fiat paper money as the basis of its financial system.

As the economic formula of the Bolsheviki prescribes the confiscation of the property rights of others, likewise it proclaims the doctrine of the repudiation of financial obligations and the debts of Russia have been renounced. Repudiation is also invoked to secure the government against the incumbrances upon and liabilities of the property and assets of the enterprises, land and chattels seized by it under its confiscation program. This repudiation also aided materially in suppressing and exterminating the creditor class, which naturally constitutes a part of the element that the Bolsheviki are pleased to call the Bourgeoisie, or capitalistic class, by depriving them of the right and ability to recover and utilize the earnings, savings, and accumulations of the past. As it affected them it was a form of confiscation. Repudiation is, therefore, a consistent accompaniment of confiscation and an essential element in the process of destruction. The financial condition of the dictatorship, however, required the adoption of some constructive policy that would finance it. It was necessary to maintain at least a color of legitimacy, an appearance of honest business methods, in supporting its so-called Red Army and in securing control of the articles necessary to sustain life. Further than that it was desirable to devise ways and means by which service in the Red Army and employment in nationalized enterprises might appear sufficiently attractive, and at the same time give an appearance of prosperity to the government itself, in order that hope as well as fear might assist in maintaining the Bolshevik government. The policy adopted was the printing of unlimited amounts of fiat paper money unsecured by any reserve. This naturally furnished to the government a cash capital limited only by the capacity of the printing presses of the government, which, in turn, had been confiscated and nationalized. Already it is estimated that a sum in excess of 30,000,000,000 rubles has been put into circulation. This has created a ridiculously inflated circulating medium of no material value to the public but of enforced value to the government.

The populace are compelled to accept this paper money from the Bolshevik dictatorship, but can secure little for it in transactions between one another. Barter and exchange have, therefore, become the only satisfactory means of conducting commercial transactions and the breakdown in the industrial life and transportation facilities of the country has made practically impossible the bringing together in the same community of the articles of trade and commerce necessary to the health, comfort, and life of the various elements of society. In consequence, many Russians are faced with starvation while possessing large sums of the money of the government that, in their extremity, avails them nothing. There can be no permanence to a government whose financial system is founded upon such a method.

The destruction of all effective military and naval power and the removal of the leadership of capable officers was essential to the establishment of a powerful dictatorship as well as to the complete abandonment of the eastern front during the war. By the safe con-

duct of Lenin from Switzerland through the German Empire into Russia, regardless of the question as to whether he and his confrères were financed, as seems probable, in their revolutionary undertaking by the German Government, an obligation was incurred to demoralize and destroy the existing Russian Army which had been more or less effectively maintaining the eastern front. How completely this was accomplished is now history. They promptly decreed in their so-called declaration of rights that "the soldiers and sailors are liberated from the power of autocratic generals, because the generals will now be elected and they may be removed." All titles and degrees of rank and the authority incident to superiority were annulled and discipline was discontinued. Instantaneously the army and navy degenerated into a mere mob with every soldier a law unto himself. Demobilization was directed and the demoralization was completed. The organization of the Red Army was undertaken around the nucleus which the Lettish troops and sailors in the Red Guard of the October revolution provided.

By similar means the organization of the Red Fleet was undertaken. Chinese laborers without other means of subsistence were easily enlisted. The opportunity that service in the Red Army and Red Fleet afforded for pilfering and looting under color of authorized confiscation presented a sufficient invitation to the lawless and criminal elements that had become conspicuous through the opening of the doors of prisons by the Bolsheviki to join those bodies and participate in the confiscation and seizures that were a part of the program of terror, fear, extermination, and destruction upon which the Bolshevik government had entered. The food and clothing situation was desperate, and the government had acquired, through the application of its formula, a generous supply, and was using its Red Guard to gain a monopoly. In consequence the one reasonably certain way of gaining a livelihood was by affiliating with the Red Army. This brought into the Bolshevik fold many people who otherwise would have been condemned to starve. Hostages were held by the government to compel the submission of those who might otherwise have been recalcitrant. Thus a Red Army and a Red Fleet has been created, and they are charged with the execution of the decrees of the dictatorship and the sentences of the so-called courts or revolutionary tribunals, and they are afforded a large degree of personal discretion in the exercise of duties which practically constitute a rule of martial law.

Repudiating the doctrine of all radical revolutionary groups throughout the world that have claimed for the individual of all lands the right of conscientious objection for religious or other reasons against the bearing of arms and the participation in armed conflicts, the Bolsheviki have adopted as the essential safeguard of their political fabric compulsory military service. As Prussianism found it essential to world domination by the autocracy of the Hohenzollerns, so Bolshevism seized upon it as the mainstay that would weather its autocracy of the dictatorship through its campaign of confiscation and repudiation.

All of the established courts and judicial institutions have been abolished and in their place have been created revolutionary tribunals. Under the dictatorship these new judicial tribunals dis-

regard all laws that "contradict the revolutionary conception of right." In actual operation these revolutionary tribunals have tried and condemned men in their absence. No right to bail is recognized and the penalty imposed depends largely upon the caprice of the court. The death penalty, the reestablishment of which under the provisional government was vociferously denounced by the Bolsheviks, has been invoked for all sorts of crimes and misdemeanors. In fact, the procedure in the courts is a mere travesty on justice and most summary in its nature.

Every activity of the Bolshevik government indicates clearly the antipathy of the Bolsheviks toward Christianity and the Christian religion. Its program is a direct challenge to that religion. The Christian church and Bolshevism can not both survive the program that is being developed by the Russian dictatorship and which it is undertaking to extend throughout the world. Not only have they confiscated all church property, real and personal, but they have established the right of anti-religious propaganda as a constitutionally recognized institution. Church and school have been divorced even to the extent of suppressing the Sunday school and the teaching of all religious doctrines in public, either in schools or educational institutions of any kind, is expressly forbidden. Religion can only be taught or studied privately. All church and religious organizations are prohibited from owning property of any kind. All recognition of a Supreme Being in both governmental and judicial oaths is abolished. The clergy and all servants or employees of church bodies are expressly disfranchised and deprived of all right to hold public positions. The full significance of the attitude of the Bolsheviks toward Christianity is most fully manifested in the fact that, though by Russian custom and decree under the old régime, every newspaper or periodical published on Easter Sunday in the Russian Empire was required to carry the headline, "Christ is risen," on Easter Sunday in 1918, all Bolshevik papers substituted for this sacred sentiment the headline and slogan, "One hundred years ago to-day Karl Marx was born." Thus the issue has been framed between the gospel of Karl Marx and the teachings of Christ. We reiterate, therefore, that Bolshevism and the Christian religion can not both survive.

Bolshevism accords to the family no such sacred place in society as modern civilization accords to it. Conflicting reports have been passing current during the last few months relative to the nationalization of women by the new Russian government. Two or three local soviets have apparently thus degraded the womanhood of their particular districts, but the central government has refrained from adopting any such policy in the whole nation. They have, however, promulgated decrees relating to marriage and divorce which practically establishes a state of free love. Their effect has been to furnish a vehicle for the legalization of prostitution by permitting the annulment of the marriage bonds at the whim of the parties, recognizing their collusive purposes as a ground for the severance of the matrimonial state.

The freedom of the press and of speech, though heralded by the advocates of Bolshevism as necessary to the intelligent participation of the people in popular government, has been abrogated in Russia,

and by the usual confiscatory method of the accepted formula all of the mechanical devices and materials necessary for the publication of periodicals and all places of meeting and public assemblage have been seized by the Bolshevik government.

To make the control more complete and effective the publication of all advertisements, whether in regularly published periodicals or on handbills or programs, is made a monopoly of the government. As a consequence the people of Russia are deprived of all facts, literature, and public expression, through the medium of the press or public meetings, except such as is approved by the dictatorship and has been passed by its censorship.

In the attempted establishment of an educational system it is to be expected that much difficulty would arise because of the large percentage of illiteracy that afflicts Russia, and it is not surprising that this system is largely on paper and of little practical value. It is interesting to note, however, that under this system age rather than attainment determines the admissibility of the student to a given school or grade, and that to require the production of evidence of the qualification of a student for such admission is a criminal offense. This again reflects the Bolshevik theory that equalization can be accomplished by dictatorial decrees.

The apparent purpose of the Bolshevik government is to make the Russian citizen, and especially the women and children, the wards and dependents of that government. Not satisfied with the degree of dependency incurred by the economic and industrial control assumed by its functionaries, it has destroyed the natural ambition and made impossible of accomplishment the moral obligation of the father to provide, care for, and adequately protect the child of his blood and the mother of that child against the misfortunes of orphanhood and widowhood. To accomplish this it has by decree expressly abolished and prohibited all right of inheritance, either by law or will. Upon death all of the decedent's estate is confiscated by the State, and all heirs who are physically incapable of working become pensioners of the State to the extent that the assets confiscated by the government make such pensions possible.

Insurance of all kinds has been nationalized, the assets of insurance companies confiscated, and the business of insuring life, property, accident, old age, and unemployment made a State monopoly. In the attempted liquidation of existing companies and associations the liquidating representatives of the government seem only concerned in securing possession and record of all of their assets and fail to recognize the propriety of accurately adjusting their liabilities. As a consequence, those insured and the beneficiaries under existing policies find themselves without the protection for which they have been paying premiums.

There has been much discussion with reference to the policy and motive of the associated Governments in landing troops on Russian soil. It is interesting to note that the combined military force at Archangel was landed at the solicitation and request of the established and de facto government of the northern Provinces of Russia to aid that government in protecting its citizenship from the murder, cruelty, and confiscation of the approaching Red Army of the Bolshevik government.

The salient features which constitute the program of Bolshevism, as it exists to-day in Russia and is presented to the rest of the world as a panacea for all ills, may be summarized as follows:

(1) The repudiation of democracy and the establishment of a dictatorship.

(2) The confiscation of all land and the improvements thereon.

(3) The confiscation of all forests and natural resources.

(4) The confiscation of all live stock and all agricultural implements.

(5) The confiscation of all banks and banking institutions and the establishment of a state monopoly of the banking business.

(6) The confiscation of all factories, mills, mines, and industrial institutions and the delivery of the control and operation thereof to the employees therein.

(7) The confiscation of all churches and all church property, real and personal.

(8) The confiscation of all newspapers and periodicals and all mechanical facilities and machinery used in the publication thereof.

(9) The seizure and confiscation of all public meeting places and assembly halls.

(10) The confiscation of all transportation and communication systems.

(11) The confiscation of the entire estate of all decedents.

(12) The monopolizing by the State of all advertisements of every nature, whether in newspapers, periodicals, handbills, or programs.

(13) The repudiation of all debts against the government and all obligations due the non-Bolshevik elements of the population.

(14) The establishment of universal compulsory military service regardless of religious scruples and conscientious objections.

(15) The establishment of universal compulsory labor.

(16) The abolition of the Sunday school and all other schools and institutions that teach religion.

(17) The absolute separation of churches and schools.

(18) The establishment, through marriage and divorce laws, of a method for the legalization of prostitution, when the same is engaged in by consent of the parties.

(19) The refusal to recognize the existence of God in its governmental and judicial proceedings.

(20) The conferring of the rights of citizenship on aliens without regard to length of residence or intelligence.

(21) The arming of all so-called "toilers," and the disarming of all persons that had succeeded in acquiring property.

(22) The discrimination in favor of residents of cities and against residents of the rural districts through giving residents of cities five times as much voting power as is accorded to residents of rural districts in such elections as are permitted.

(23) The disfranchisement of all persons employing any other person in connection with their business.

(24) The disfranchisement of all persons receiving rent, interest, or dividends.

(25) The disfranchisement of all merchants, traders, and commercial agents.

(26) The disfranchisement of all priests, clergymen, or employees of churches and religious bodies.

(27) The denial of the existence of any inalienable rights in the individual citizen.

(28) The establishment of a judicial system exercising autocratic power, convicting persons and imposing penalties in their absence, and without opportunity to be heard, and even adopting the death penalty for numerous crimes and misdemeanors.

(29) The inauguration of a reign of fear, terrorism, and violence.

This is the program that the revolutionary elements and the so-called "Parlor Bolsheviks" would have this country accept as a substitute for the Government of the United States, which recognizes that "all men are created equal," and that "life, liberty, and the pursuit of happiness" are the inalienable rights of all its citizens. This is the formula they would have adopted to supersede the Government which was established by all the people of the United States "in order to form a more perfect union, establish justice, insure domestic tranquillity," and "promote the general welfare." The mere recital of the program is a sufficient denunciation of it and of the individuals and groups which advocate and defend it.

During modern times the effort of civilization has been directed to lifting mankind to the highest possible level of intelligence and social and material well-being in order to attain the highest degree of social equality between man and man. For the first time since the dark ages has an organized government undertaken to invoke a process of equalization by establishing as the basis of social equality the minimum rather than the maximum degree of existing educational, industrial, social, and moral efficiency, yet such is the policy of the Bolshevik government. It recognizes that the psychology of even the most illiterate elements of the Russian people is such that it can not perpetuate this doctrine in practice unless the same reactionary methods of equalization are simultaneously destroying the social fabric, the efficiency, the individual initiative, the ambition, and the material prosperity of the peoples of all other nations, whose competition and accomplishments would necessarily result in odious and destructive comparisons. Not content therefore in fathering in Russia this retrograde method of establishing the equality of mankind on the basis of the lowest strata of society, it has undertaken to arouse in the United States and in all other countries resentment, rancor, and hatred against those elements of society which have, by reason of their aptitude, perseverance, industry, and thrift attained that superior degree of intelligence and prosperity that has made possible the accomplishments of twentieth century civilization. The effort of progressing civilization has always been the uplifting of man to a higher and higher plane of living and a loftier place in society.

The activities of the Bolsheviks constitute a complete repudiation of modern civilization and the promulgation of the doctrine that the best attainment of the most backward member of society shall be the level at which mankind shall find its final and victorious goal. The pulling down of the progressive rather than the lifting up of the retrogressive is presented as the doctrine of their new kind of civilization. To carry this message to the uttermost parts of the earth they have appropriated enormous sums of money, and, incidentally, their process of equalization in Russia was promoted by the starvation which the funds thus expended might have been utilized to

alleviate. Their messengers and their friends have afflicted this country, and their new civilization has been represented as Utopian in its nature. Many well-disposed persons have been deceived into the belief that they were promoting a social welfare movement in advocating it. They have even given their substance that it might be perpetuated and extended. Yet, while these people who have been popularly called "parlor Bolsheviks" are contributing to these Bolshevik agents, these same agents are appealing to the hatred and the lowest instincts of the more ignorant elements of the population, reinforced by the criminally inclined, to whom the doctrine of confiscation furnished a form of legalized robbery and a means of livelihood without physical or mental effort, to rise en masse and destroy our civilization and the so-called bourgeoisie with whom, of course, must be classed these same "parlor Bolsheviks" who are assisting, by lending funds and respectability to the movement, in bringing the temple down upon their own heads.

It is significant, however, that in the United States only a portion of the so-called radical revolutionary groups and organizations accept in its entirety the doctrine of the Bolsheviks. They have, however, all seized upon Bolshevism as a rallying cry and are undertaking to unite all of these elements under that banner for the purpose of accomplishing the initial step in their common formula, to wit, the overthrow of existing governmental institutions and the complete demoralization of modern society. With this accomplished each group hopes that it can muster sufficient strength to maintain a supremacy in the new social order and invoke the policies of its particular creed. Most of these groups accept the common ground that forcible, as distinguished from political, action should be used as the instrument to secure the overthrow of the present government and in so doing defy and repudiate the democratic form of government which guarantees under our Constitution the rule of the majority. Like the Bolsheviks in Russia, these groups recognize in the destruction of life, property, and personal security the necessary preliminary to the establishment of a government founded upon the violence of the minority. They realize that riot, disorder, and hunger breed hatred, blood lust, and desperation, and that without these mankind can not be driven to the use of force to accomplish an end attainable by lawful and peaceable political methods under the existing government.

The radical revolutionary elements in this country and the Bolshevik government of Russia have, therefore, found a common cause in support of which they can unite their forces. They are both fanning the flame of discontent and endeavoring to incite revolution. Numerous newspapers are openly advocating revolution. Literature and circular matter demanding a resort to violence are being widely circulated. Bombs and high explosives have been used in many parts of the country in an attempt to inaugurate a reign of terror and to accomplish the assassination of public officials. The demonstration of the consequences of this movement in Russia, no matter how graphic the description, is a distant, far-away picture to the average citizen of the United States. While entertaining and perhaps amusing him, much as the novel in modern fiction does, it fails to impress him as an actual existing institution, in a world growing smaller

and smaller through the accomplishments in transportation and communication, that must be considered and met as an actuality. To understand and realize its real consequences it must be brought home to the citizen and applied to the life and institutions which he knows.

With a view, therefore, of concretely illustrating just what this new social order would accomplish if transplanted into the political, educational, industrial, and religious life of the United States attention is invited to the following unavoidable consequences:

1. The application of force and violence, the shedding of blood and the destruction of life and property, the common incidents of all revolutions, and all this to destroy a democratic form of government, under which the majority can secure just the kind of government that it desires. The advocacy of revolutionary methods is an admission, therefore, that minority rather than majority rule is the goal sought to be attained.

2. To make possible the control of the minority as the dictators of the majority, the disfranchisement of millions of substantial, patriotic citizens who would fall in the so-called bourgeois or capitalistic class. This would deprive of the right to participate in affairs of government—

- (a) Millions of farmers, merchants, and manufacturers, both large and small, employing persons in the conduct of their business, and all professional and business men utilizing the services of a clerk, bookkeeper, or stenographer.

- (b) All persons receiving interest on borrowed money or bonds, rent from real estate or personal property, and dividends from stock of any kind.

- (c) All traders, merchants, and dealers, even though they do not employ another person in the conduct of their business.

- (d) All preachers, priests, janitors, and employees of all churches and religious bodies.

It is apparent with the millions of persons falling into these several classes, disfranchised and deprived of all right to participate in the affairs of government, accompanied with the immediate enfranchisement of all aliens who do not fall within these prohibited classes, and the opening of the doors of all prisons and penitentiaries, the domination of the criminal and most undesirable alien elements of the country would be a comparatively easy matter. To simplify the question of this control, however, the substantial rural portion of the population would be further suppressed and restricted, and under the revolutionary formula the voting power of the cities would be five times as great as that of the rural communities, the ratio of representation in cities being 1 to every 25,000 of the population, while that of the rural districts would be only 1 to every 125,000 of the population. In the United States the rural population under the 1910 census was considerably in excess of the urban. We must also remember that the application of the formula would include the disarming of all disfranchised classes and the arming to the teeth of these criminal and alien elements.

3. It would result in the confiscation by the Government thus constituted of the land of the United States including 6,361,502 farms of which 62.1 per cent, or 3,948,722 farms, are owned in fee by the

farmers who cultivate them and represent the labor and toil of a life time. On the farms of the United States there are improvements, machinery, and live stock to the value of \$40,991,449,090 (census of 1910), all of which would be confiscated with the land. The confiscation program would include the more than 275,000 manufacturing establishments, including the \$22,790,980,000 of invested capital, much of which is owned by the small investor whose livelihood depends upon the success of the respective enterprises. The confiscation would also include 203,432 church edifices. Forests aggregating 555,000,000 acres would be seized by the government and an annual product of \$1,375,000,000 would come under the control of the dictatorship. Dwellings to the number of 17,805,845, of which 9,093,675 are owned in fee, with 5,984,248 entirely free from debt, would be confiscated and the owners dispossessed at the pleasure of the government.

4. Although clamoring loudly for a free and unrestricted press the revolutionary program would require the seizure and confiscation of the 22,896 newspapers and periodicals in the United States, together with all mechanical equipment necessary for their publication, and a control and ownership of the public press by the government.

5. Complete control of all banking institutions and their assets is an essential part of the revolutionary program, and the 31,492 banks in the United States would be taken over by the government and the savings of millions, including 11,397,553 depositors drawing interest on accounts in savings banks, and consequently belonging to the so-called bourgeois or capitalistic class, jeopardized.

6. One of the most appalling and far-reaching consequences of an application of Bolshevism in the United States would be found in the confiscation and liquidation of its life insurance companies. There is 20 per cent more life insurance in force in this country than in all the rest of the world and nine-tenths of it is mutual insurance. Almost 50,000,000 life insurance policies representing nearly \$30,000,000,000 of insurance, the substantial protection of the women and children of the Nation would be rendered valueless.

7. The atheism that permeates the whole Russian dictatorship is clearly reflected in the activities of their revolutionary confrères in the United States and in their publications they have denounced our religion and our God as "lies." This gives added significance to the revolutionary attitude toward the Christian Church and the Christian religion. The prohibition of religious schools and the teaching or studying of religion, except in private, would necessitate the abolition of 194,759 Sunday schools in the United States and a great number of seminaries, colleges, and universities; 19,935,890 Sunday school scholars would be deprived and prevented from enjoying the institution that has become an important part of their lives and is one of the great moral influences of the Nation. Catholic schools, colleges, and seminaries to the number of 6,681 would be suppressed. Church property of the value of \$1,676,600,582 would be confiscated and 41,926,854 (census of 1916) members of 227,487 church organizations would be subjected to the domination of an atheist dictatorship.

Notwithstanding the fact that every champion and defender of Bolshevism that testified before your committee unequivocally ad-

mitted that the Bolshevik formula was not adaptable to the economic and social life of the United States, they and their coevangelists persist in their appeals to the passion of the people in an attempt to provoke discontent and hatred. In cooperation with the revolutionary elements, destruction of existing social and governmental institutions by violent methods is being promoted. They must, therefore, be condemned as the mere champions of discontent and disorder, offering no practical and acceptable ideal, as they profess to have, with which to soften and appease the wrath that they are undertaking to arouse.

GENERAL STATEMENT AND OTHER RECOMMENDATIONS.

The testimony taken before this committee having been printed, a further review thereof is deemed unnecessary. A careful consideration of this record discloses certain well-defined abuses, prejudicial to the best interests of the Nation and calculated to undermine and destroy our form of government. The Nation having engaged in the greatest war in history with the purpose of saving the world for democracy, now emerges from that struggle confronted with the paramount duty of preserving democracy for the world.

The disclosures before this committee concerned (a) the political activities of the liquor interests in their effort to control and dominate elections and public officials, (b) the propaganda of the agents, representatives, and sympathizers of a foreign government, the form of which and whose purposes, industrial, commercial, and political, were incompatible with and antagonistic to the form, ideals, and purposes of the Government of the United States, and (c) Bolshevism as it exists in Russia and the activities of its champions in the country. No useful purpose is to be served by reviewing and recounting the reprehensible activities of either of the elements whose conduct has been the subject matter of this inquiry. A perusal of the testimony furnishes adequate evidence of it. This testimony embodies such an exposure of all of these elements as to justify fully the investigation.

The activities brought to the attention of the committee are so startling, however, that we believe that the real advantage of the inquiry will be lost unless Congress profits from the knowledge thus obtained by undertaking by appropriate legislation to make impossible a repetition of these activities, either on the part of the offenders who have been under investigation, and many of whose activities are still continuing, or by others who at some future time may seek to undermine the Government or pervert the popular will by the adoption of similar methods against which the Federal statutes seem to provide no adequate safeguard.

With this end in view, therefore, this committee invites attention to certain abuses which are clearly established by the record of its hearings and a summary of proposed legislation the immediate adoption of which it earnestly recommends.

I.

That millions of dollars have been expended in elections, in connection with which Federal officers were voted for by special interests through organizations of their own creation and by methods of their

own adoption. That secrecy has surrounded these expenditures and the activities thereby induced. That the publicity and accounting sought for all political expenditures by the corrupt practices acts of the Federal and the several State Governments has been largely defeated. That the Federal corrupt practices statutes are entirely inadequate to meet present-day political methods and are easily evaded without involving a violation of the statute. Any effective corrupt practices act must provide—

(1) For full publicity of all receipts and expenditures intended to influence in any way the result of an election.

(2) To bring under legal control and supervision every committee and organization participating in a political activity.

(3) To perpetuate and preserve for a reasonable time a complete record of the financial transactions of all individuals, candidates, committees, and organizations.

(4) To define clearly the purposes and activities for which money can be legally expended.

(5) To require publicity that will unequivocally fix responsibility for all paid and inspired advertising or publicity matter used and intended either openly or secretly to affect the result of an election.

II.

Newspapers printed in both English and foreign languages have been subsidized directly and indirectly for the purpose of undertaking to influence the minds, thoughts, and actions of the people of the United States without disclosing in any way the commercial or political influence financially interested. It is of great importance that every facility should be afforded to all elements of society and to every commercial, industrial, social, religious, and educational interest to present openly and frankly its views on every subject not aimed at the impairment of the sovereignty of the Nation or in disparagement of our form of government as established by the Constitution. But as the right to present these various contentions should be preserved as inalienable, so the public to whom the appeal is made have an inalienable right to know and to be advised as to who is the spokesman of a given cause. Newspapers have become such an educational medium that the public should be afforded an ample opportunity to know just who their instructors are.

The act of Congress of August 24, 1912, undertook to accomplish this, but in the light of experience it is now clearly established that this act is inadequate. It permits of the adoption of many subterfuges by which its purpose is defeated though its spirit is violated without the commission of a legal breach of its prohibitions.

It is the opinion of this committee that this act should be amended and made more effective in several important particulars.

III.

The foreign-language press of the country as now conducted has the effect and in many instances is inspired with the purpose of discouraging the assimilation of the foreign elements with the American people and has been utilized by special interests for political and propaganda purposes. The financial condition of many of these

newspapers has made them the easy and cheap victims of designing persons and interests whose financial advantage is best secured by retarding the Americanization of the alien and limiting him to the use of the foreign-language paper as his sole source of information. The foreign-language press exerts a greater influence upon its readers than an English newspaper does because of the limited educational facilities of the persons who can only read and talk in such foreign tongues, and consequently the subsidization and domination of this press is proportionately more vicious in its effects than similar practices would be in the case of English newspapers.

The experience of the last few years has clearly demonstrated the necessity of Americanizing the residents of this country, and especially those who from time to time are assuming the responsibility of citizenship. The aliens now residing within our borders or hereafter immigrating to our shores must either be assimilated by the Americans or they will be held together in their several nativistic groups, each group adhering to its own language and customs, with the consequent adherence, either consciously or unconsciously, to the land of their nativity. While it must be recognized that during the time when they are merely the guests of this Nation a knowledge of their native language is all that can be expected, the Government is justified in requiring that before their status is changed to one of citizenship and before they can be permitted to participate in the government of the United States there should be some evidence at least of a purpose on their part toward that assimilation which is essential to the unity of purpose and substantial adherence to our institutions necessary to the healthy development of the Nation.

Foreign-language newspapers are a danger to the country unless they are utilized to assist in the assimilation of the alien element and to aid in the process of Americanization which is essential to the healthy development of the population into a homogeneous whole. This much-sought-for Americanization would be impeded by either depriving the alien of the educational value of a newspaper in the only language he can read or by withholding from him proper aid and facility for learning the English language and failing to encourage him to acquire the educational advantages incident to the mastering of the language of his adopted country. With this in mind, therefore, this committee recommends legislation to control and regulate the printing of foreign-language publications in this country.

IV.

For a number of years prior to our entry into the World War agents of the German Government persistently carried on a great propaganda in the United States, the purpose of which was to promote the interests of the German Government and to create a sentiment in this country in favor of that Government to the prejudice of this Nation. Every activity which tended to weaken our Government or to arouse antagonisms that would demoralize the unity and morale of our population and every movement that was aimed at involving us in foreign disputes or domestic difficulties was encouraged and frequently financed by the agents and representatives of the German Government.

To-day the forces of anarchy and violence are utilizing the financial resources plundered by them from the European people they have succeeded in exploiting, to import into this country money, literature, and hired agents for the purpose of promulgating the doctrine of force, violence, assassination, confiscation, and revolution.

As an effect of these activities there has appeared in this country a large group of persons who advocate the overthrow of all organized government, and especially the Government of the United States, who favor revolutionary movements, repudiate the Constitution of the United States, and refuse to respect our national emblem and our governmental institutions. There are found among the leaders of this group many aliens who unhesitatingly abuse the hospitality which this country has extended to them and who because of that leadership are able to retard the real Americanization of the more ignorant residents possessing similar racial characteristics. These persons encourage and maintain a solidarity of the people of the several foreign tongues which is used to create and incite a class hatred that is quickly absorbed by and incorporated into the revolutionary movement led by them. The alien element in this country is the most susceptible and is the first to adopt violence as an effective weapon for supremacy.

More reprehensible than the alien element is that class of American citizens, whether native born or naturalized, who, having obligated themselves to support and defend the Constitution of the United States, lightly disregard their responsibilities and promulgate the doctrine that the form of Government established by the Constitution should be overthrown and that a government responsive to a class rather than to all the people should be forcibly substituted therefor. It is a significant fact that almost without exception the persons in this country who are to-day advocating revolution and violence and all of the suffering, pain, and bloodshed incident to such a movement, have during the great struggle of the past two years undertaken to handicap, check, and obstruct in every way possible the military operations of this Government under the pretext that their consciences would not permit them to take the life of their fellow men even in war. The destruction of life, property, and government has no horrors to them when directed toward the overthrow of the Government of the United States, but the use of force in defense of our country they conscientiously object to.

Prior to the enactment of the statute of June 15, 1917, as amended by the statute of May 16, 1918, our Government was without laws adequate even to protect its own sovereignty. It is indeed unfortunate that this legislation should have been called an espionage act. Much of the complaint and criticism directed at this act was aimed more at the word used to designate it than at the text of the statute. Many of the provisions of this act are applicable only during time of war and consequently the restoration of peace will leave the Government of the United States more helpless, and because of the growth of the revolutionary movement as a result of the World War, more powerless, than it found itself prior to our entrance into that struggle.

It is therefore imperative that there be enacted before the re-establishment of peace an act adequately protecting our national sovereignty and our established institutions.

V.

That the American people have been victimized and deceived by the activities of special interests and the subtle practices of designing individuals, some of them the agents and representatives of foreign governments through the use of organizations having dignified and respectable names, which completely disarm all suspicion of the ulterior purposes of those who inspired their organization. By the use of euphonest names given to supposedly patriotic, idealistic, and charitable organizations, patriotic and philanthropic citizens have been innocent victims of conniving representatives of foreign interests and governments and have been exploited by corrupt and dishonest elements. The Government of the United States long ago undertook by appropriate legislation to protect society from the fraudulent use of the mails commercially. The public have a right to some protection from deception being practiced by these mushroom organizations that have become so common.

No legitimate organization is ashamed of its paternity, its purposes, or its activities, and a proper registration of all voluntary associations or organizations appealing to the public through the mails for popular approval, financial support, and the propagation of its notions of government, sociology, benevolence, or what not is a reasonable requirement that can be utilized to provide some security to a much imposed upon public legislation is therefore recommended to this end.

VI.

Never have the Federal statutes provided adequate security against an unlawful and promiscuous use of high explosives. During the period of American neutrality, the representatives of the German Government, as well as many criminally inclined residents of our own country, resorted to the use of explosives for the destruction of life, property, and transportation facilities, and except for the provision in the interstate-commerce act, which prohibited the shipping or carrying of explosives in interstate commerce, the offenses could not be reached by the Federal Government, and when reached under this act the penalties were entirely incommensurate with the offense. The act of Congress of October 6, 1917, entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes," was enacted by Congress as a purely war statute, and becomes inoperative upon the restoration of peace. The efficacious effects of this legislation during the period of the war has not only justified its enactment as a war statute, but has impressed upon the people of the country the merit of its provision in times of peace as well as in times of war.

All law-abiding persons recognize the necessity of controlling and regulating the manufacture, distribution, and possession of the instruments of death and destruction relied upon by the criminal and lawless elements of society. The obligation of the Federal Government to protect the lives and property of its citizens would not be fully performed were Congress to permit the act of October 6, 1917,

to die by limitation without enacting in its place a peace-time measure.

The committee wishes to again express its thanks to Maj. Hume Capt. Lester, and Mr. Benham for their untiring zeal and great ability in aiding the committee in securing the great mass of testimony which, in our opinion, will be most useful to the public.

All of which is respectfully submitted.

LEE S. OVERMAN, *Chairman.*

WILLIAM H. KING.

JOSIAH O. WOLCOTT.

KNUTE NELSON.

THOMAS STERLING.

As a member of the subcommittee, I have joined in the above report; but while agreeing with many of the statements and recommendations appearing on pages 43 to 48, inclusive, I desire to state that I am not in full accord with all the committee's recommendations.

WILLIAM H. KING.



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